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A HISTORY
OF THE
LIFE AND PUBLIC SERVICES
OF
MAJOR GENERAL ANDREW JACKSON.

IMPARTIALLY COMPILED FROM THE MOST AUTHENTIC SOURCES.



1828.

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AN
IMPARTIAL AND TRUE HISTORY
OF THE
LIFE AND SERVICES
OF
MAJOR GENERAL ANDREW JACKSON.

ANDREW JACKSON, now a candidate for the office of President of the United States, was the youngest of three sons of an Irish emigrant, who came to this country in the year 1765, and "shortly afterwards purchased a tract of land in what was then called the Waxsau settlement, about forty-five miles above Camden," in South Carolina. (1) While he was yet very young he had the misfortune to lose his father; and his mother intending him for the ministry, sent him to an academy held in the Waxsau meeting-house. (2)

Here he continued until the ravages of war interrupted the opportunities of education. "A state of neutrality or quiet" became quite unattainable in South Carolina. (3) The measures of Lord Cornwallis "were calculated to admit of no neutrality among the people." (4) "The licentiousness of a soldiery, spread through a rich and feeble country, can seldom be restrained: in South Carolina it was scarcely attempted. The spirit of plunder seems rather to have been countenanced;" (5) and Waxsau was the scene of one of the most bloody and disastrous conflicts, where "no quarter was given" (6) by the British under Tarleton, when a corps of American cavalry were almost entirely destroyed. At about this juncture—the precise time is not specified by the biographer—Andrew Jackson, with one of his brothers, joined a party of militia, retreating from the advance of the enemy, and accompanied them "into the interior of North Carolina," (7) to which part of the country the disturbances had not then extended. It is not stated by Major Reid or Mr. Eaton, whether their mother went with them; but it seems scarcely probable she could have safely remained behind, considering the disturbed condition of the country, the licentiousness of the invaders, and that her place of residence had already been the scene of a bloody and cruel massacre. Her eldest son had previously joined the army, and lost his life at the time of the "battle of Stono," in consequence of fatigue and the heat of the weather. (8)

"When Lord Cornwallis crossed the Yadkin," in North Carolina, these fugitives ventured to return "in small detachments" to their own state. (9) "They found Camden in possession of Lord Rawdon, and the surrounding country in a state of desolation." (10)

Soon afterwards, a number of the Waxsau settlers were surprised at the meeting-house by a party of tories and British, and were obliged to make a rapid flight. (11)

Andrew Jackson and his brother Robert were there—whether as spectators or otherwise is not stated—and escaped into the woods; but being pressed with

1 The authority for this fact, as well as for many that follow, is the well known work entitled "The Life of Andrew Jackson, Major General in the service of the United States, &c.; commenced by John Reid, Brevet Major, U. S. Army. Completed by John Henry Eaton. Published at Philadelphia, 1817." And the second edition of the same, "by John Henry Eaton, Senator of the United States," published in 1824. (2) *Ib.* page 10. (3) *Marshall's Life of Washington*. v. 4, p. 162. (4) *Ib.* 165. (5) *Ib.* 166. (6) *Ib.* 160. (7) *Eaton's Life*, p. 10. (8) *Ib.* p. 11. (9) *Ib.* (10) *Ib.* (11) *Ib.* 12.

hunger, came out, and were taken into custody along with several of the settlers.(1)

They were treated with much unkindness and severity while they remained in the power of the British until a few days after the battle of Camden, in August, 1780, when they were released.(2)

The eldest brother had recently died; Robert died soon after his release in consequence of disease contracted and ill usage received during his captivity; (3) their mother also died about this period, and Andrew found himself the sole survivor of the family, and the uncontrolled master of his actions and his property.

"He entered upon the enjoyment of his estate, which, though small, would have been sufficient, under prudent management, to have completed his education on the liberal scale which his mother had designed. Unfortunately, however," according to Mr. Eaton, "like too many YOUNG MEN, *sacrificing future prospects* to present gratification, he expended it with rather too profuse a hand.(4)

He continued this course of self-indulgence and unworthy "gratifications" through the three last years of the war, during which, the utmost excitement generally prevailed among the youths of Carolina. Though master of his property, it is not said that he devoted the least particle of it to the cause of freedom; and while uncontrolled in his own actions, he avoided, during the splendid campaigns of Green, Lee, and Marion, any further exposure to the perils of military service.

When he was eighteen years of age, or more, (5) he "abandoned the pulpit for the bar," (6) and commenced law student at Salisbury, in North Carolina, where he was licensed as an attorney, in 1786. (7)

In 1783 he removed "through the wilderness" to Nashville, where but one lawyer had previously resided.(8) Here he settled, and soon after obtained the appointment of District Attorney for the territory of Tennessee.(9)

In 1796 he was a member of the convention which met to form a constitution and state government, under the act of congress, permitting Tennessee to come into the Union(10) as a state.

1 Eaton's Life, 12. (2) Ib. 13. (3) Ib. (4) Ib. 13, 14. (5) His age—the precise period of his birth, and consequently the place of his nativity, seem involved in some obscurity.

It should not be considered any disparagement to him to say he was born in Ireland, if such were the fact. But his biographer, who is also his friend,—Mr. Senator Eaton,—falls into inconsistencies that cannot but raise a suspicion of a design to conceal the whole truth. The 15th of March, 1767, is named by Mr. Eaton as the day of his birth. But it is said, that "at the age of fourteen he joined the American camp,"—and this was a long time previous to the battle of Camden, which occurred on the 16th of August, 1780. But if there is truth in Arithmetic, there cannot be fourteen years between March 15th, 1767, and August 16th, 1780, independent of the months or weeks to be allowed for the retreat into North Carolina, the stay there, the cautious return, the residence at home, the capture, and the long and distressful captivity.

The statement of Mr. Eaton is therefore wrong, somehow, beyond question. But it is stated he was admitted to the bar in 1786. If of legal age at that time, as must be presumed, he could not have been born later than 1765;—in part of which year his parents were residing in Ireland. Further it is said, that in 1780 he entered upon the "management" and "enjoyment" of his patrimonial estate; and "squandered" it in personal "gratifications." This can hardly be said of a "young man" of less than sixteen years old. The personal "gratifications" of the idlest boy of thirteen, fourteen, or fifteen, could scarcely require so ruinous an expenditure. If even sixteen when he thus "squandered" his estate, he must have been born in 1764, a year before his parents left Ireland.

There is a mystery about this which may never be explained. To have been born in Ireland implies no reproach. But, if he was of an age to bear arms, it is difficult to excuse his voluntary absence from Eutaw springs and the Cowpens.

6 Eaton, p. 14. (7) Ib.

8 Eaton, p. 15. Second edition, 16. (9) Ib. 15. (10) Ib. 16. First edition. Act of congress, June 1st, 1796

In this assembly he arrayed himself on the anti-republican side, and opposed the democratic principles of universal suffrage and equal rights. He joined in establishing the rule which allows the rich man to vote in *every* county where he *has land*; but confines the poor man to one vote where he *resides*. And he also approved and advocated the exclusion of all men from a seat in the legislature, except those who possessed two hundred acres of land *in their own right*.

The following extract from the "Journal of the Tennessee Convention," shows the part which he took in support of these distinctions:

"*Tuesday, Jan. 12, 1796.* On motion of Mr. Robertson, resolved that there be appointed 'a committee of two members from each county, to draft a constitution, &c.' and Messrs. McNairy and JACKSON were appointed on said committee for the county of Davidson." [See p. 6, of the Journal.]

"*Wednesday, Jan. 27.* The committee reported a draft of a constitution."— [See p. 12.]

Sec. 1. "*All freemen of the age of twenty-one years and upwards, possessing a freehold in the county where they may offer to vote, and being inhabitants of this state; and all freemen who have been inhabitants of any one county, within the state, six months immediately preceding the day of election, shall be entitled to a vote for members of the General Assembly, for the county in which they shall respectively reside.*"—[See Journal of Convention, page 18.]

"*Wednesday, Feb. 3, 1796.* Mr. Cocke moved, and was *seconded* by Mr. JACKSON—

"That no person shall be eligible to a seat in the General Assembly unless he has resided three years in the state and one in the county, immediately preceding the election, and shall *possess in his own right* in the county which he represents, *NOT LESS THAN TWO HUNDRED ACRES OF LAND*, and shall have attained the age of twenty-one years." Which was agreed to.—[See p. 29.]

It must be observed also, as indicative of his sentiments, that in the same convention he moved to *expunge* the article providing, that "No person who *publicly denies* the being of a God and a future state of rewards and punishments, shall hold any office in the civil department of the state."

In the same year he was chosen a member of congress; and took his seat in time to vote with Mr. Giles, and against Mr. Madison, on the subject of a respectful address to Washington, who was then about to retire from the Presidency.(1)

It was customary at that period for congress to reply to the President's communications. A committee, of which Mr. Madison was a member, reported, on the 12th of December, an address, which contained these words, "for our country's sake, for the sake of republican liberty, it is our earnest wish that your example may be the guide of your successors, and thus, after being the ornament and safeguard of the present age, become the patrimony of our descendants"

Mr. Giles moved to expunge all such expressions; and said, "as to those parts of the address which speak of the wisdom and firmness of the President he must object to them; he was one who did not think so much of the President as some others do; he wished him to retire, and that the moment of his retiring had come." Mr. Giles did not succeed in this motion.—Madison, Gallatin, and other leaders of the republicans, voting, as well as the federalists, in favour of so just a tribute to the virtues of Washington. Jackson voted with Giles, and a very few others, to insult that great and good man, by striking out all that was respectful in the address.

Except thus recording his enmity against Washington, General Jackson took little part in the business of the session, and did not afterwards resume his seat in the House of Representatives.(2)

The session closed on the 3d of March, but owing to the urgency of public business a session was held a few weeks after, commencing on the 15th of May, 1797

1 See the Journals of Congress of the Session, commencing Dec. 5th, 1796, and ending March 3d, 1797.

2 Eaton's Life, p. 18.

He did not attend this session, although he still held his membership. It was not a time for politicians or patriots to be absent from their posts; but he threw away the opportunity of opposing the celebrated *stamp act*, which was passed during this summer session.

At the session of 1797-8, he appeared as a member of the Senate, and remained until the 12th of April, 1798, when he obtained leave of absence and went home.

Mr. Senator Eaton states that, "On the *alien law*, and the effort to repeal the stamp act, he was present, voting in the minority," &c.

But this is manifestly untrue, for the Journal shows that he took leave of absence on the 12th of April, and Senator Eaton says that "about the middle of April business of an important and private nature imposed on him the necessity of asking leave of absence and returning home." [1] It is also certain, that the first suggestion of the *alien law* was not until April 25th—the bill was reported and read for the first time, May 4th, and passed the senate on the 8th of June—went through the other house on the 22d, and was approved by the president on the twenty-fifth.

The only vote which Mr. Eaton could mean to refer to, was on the 8th of January, 1798, when Mr. Anderson asked leave to bring in a bill to repeal the stamp act of the preceding summer. On this occasion the vote stood eleven to fifteen and the motion was lost. General Jackson voted in the minority.

Among the eleven who voted to give Mr. Anderson the leave he asked for, were Mr. Green and Mr. Foster of Rhode Island, and Mr. Livermore of New Hampshire—all decided and unwavering federalists.

Nearly all the important measures of the party then in power—the measures which caused the fall of Mr. Adams' administration—were carried through Congress during the latter part of this session, after General Jackson had gone home. The act for raising a provisional army which was said to be urged particularly by Hamilton and his friends against the judgment of the President—was passed in May. The alien law was passed in June; the act authorising the capture of French vessels, and the sedition law in July.

At the time of the passage of *all* these bills General Jackson was a member of Congress but did not attend in his place to oppose any one of them.

He resigned his seat in the Senate according to Senator Eaton, in 1799. But it is certain that he never attended after April 12th, 1798.

He took leave, on this occasion, of political life "for the intrigues of which," says Mr. Eaton "he declared himself unfit." (2)

It is difficult to comprehend what 'intrigues' General Jackson would have been obliged to carry on, if he had remained in the senate; but perhaps the station required qualities of mind and temper of which he felt himself destitute; or possibly he had not yet made up his mind as to those strong measures which characterised the then existing administration.

At least he could not have disapproved of those enactments very earnestly or he would not have stayed away, and lost the opportunity to vote against them.

About this time he became a major general of militia, and was appointed a judge; but, aware of the mischief his incompetency might create, [3] he shortly resigned the judicial station, and retired to a plantation ten miles from Nashville, where he has since resided. [4]

In 1806, he killed a young gentleman, named Charles Dickinson, with circumstances of peculiar vindictiveness.

A particular account of the duel was published in the National Journal, on the authority of a respectable citizen who received it from Dr. Catlett, one of the seconds. The other second, Mr. Overton, has not contradicted it.

It seems they both had race horses and quarrelled about foul play in a race which Gen. Jackson won. Jackson challenged. Dickinson's ball grazed Jackson's breast, slightly touching the skin; Jackson's pistol went to half cock. He nodded to the seconds, re-cocked his pistol, took deliberate aim, and killed Dickinson.

The Nashville paper, called the "Impartial Review and Cumberland Reposi-

1 Eaton, p. 18. (2) Ib. [3] Ib. p. 19. [4] Ib. p. 17.

tory," of June 7th, 1806, also contains an account of the duel; and a note from Gen. Jackson to the editor to *prevent* his putting the paper in mourning, as a tribute of respect to Dickenson's memory, and a consolation to his widow and child.

The latter part of 1806, and the following year were marked by the agitations caused by the discovery—so far as it was discovered—of Burr's conspiracy.

Burr was an intimate friend of Gen. Jackson, and the intimacy continued after his projects were well known to be treasonable.[1]

In 1812, when the war commenced, Gen. Jackson's division of militia raised a volunteer force of 2500 men, with which he descended the Mississippi to Natchez.(2) But as there was no enemy in that quarter, he was directed to dismiss the men. He disobeyed, and marched them back to Tennessee.(3)

In the following summer, he had a quarrel with Colonel Benton, of the army, now senator from Missouri, which led to an attempt, on his part, to commit a deliberate murder. The statement published by Colonel Benton, relative to this transaction, has not been controverted by General Jackson—It was dated at Franklin, in Tennessee, September 10th, 1813,—as follows, viz:

"A difference which had been for some months brewing between Gen. Jackson and myself, produced, on Saturday the 4th instant, in the town of Nashville, the most outrageous affray ever witnessed in a civilized country. In communicating this affair to my friends and fellow-citizens, I limit myself to the statement of a few leading facts, the truth of which I am ready to establish by judicial proofs:

"1. That myself and my brother Jesse Benton, arrived at Nashville on the morning of the affray, and knowing of General Jackson's threats, went and took our lodgings in a different house from the one in which he staid, on purpose to avoid him.

"2. That the General and some of his friends came to the house where we had put up, commenced the attack by levelling a pistol at me, when I had no weapon drawn, and advancing upon me at quick pace, without giving me time to draw one.

"3. That seeing this, my brother fired upon Gen. Jackson, when he had got within eight or ten feet of me.

"4. That four other pistols were fired in quick succession: one by Gen. Jackson at me, two by me at the General, and one by Colonel Coffee at me. In the course of this firing, General Jackson was brought to the ground, but I received no hurt.

"5. That daggers were then drawn. Col. Coffee and Mr. Alexander Donaldson made at me and gave me five slight wounds. Captain Hammond and Mr. Stukely Hays engaged my brother, who being still weak from the effect of a severe wound he had lately received in a duel, was not able to resist two men. They got him down, and while Capt. Hammond beat him on the head to make him lay still, Mr. Hays attempted to stab him, and wounded him in both arms as he lay on his back, parrying his thrusts with his naked hands. From this situation, a generous hearted citizen of Nashville, Mr. Summer, relieved him. Before he came to the ground, my brother clapped a loaded pistol to the breast of Mr. Hays, to blow him through, but it missed fire.

1 The *Richmond Enquirer* of January 20th 1807, contains the following extract from the *Tennessee Gazette* published at Nashville. viz:

"Col. Burr arrived on Sunday evening last, at Gen. Jackson's about 9 miles from this town; and has been in this place several times this week. He appears to be preparing for some movement, we know not where. Should he attempt any hostile movement, we will make it known."

General Adair of Kentucky in an address to the public several years since openly *taunted* Gen. Jackson with having organized troops, superintended the building of boats, &c. for Col. Burr.

2 Eaton's *Life*, p. 22. (3) *Ib.* 22. "He lost no time in making known to the secretary of war, the resolution he had adopted to disregard the order he had given," &c. Eaton, p. 22, 27.

"6. My own and my brother's pistols carried two balls each; for it was our intention, if driven to arms, to have no child's play. The pistols fired at me were so near, that the blaze of the muzzle of one of them burnt the sleeve of my coat, and the other aimed at my head, at a little more than an arm's length from it.

"7. Captain Carroll was to have taken part in the affray, but was absent by the permission of General Jackson, as he has since proved by the General's certificate: a certificate which reflects less honour, I know not whether upon the General, or upon the Captain.

"8. That this attack was made upon me in the house where the judge of the district, Mr. Searey, had his lodgings! So little are the laws and its ministers respected! Nor has the civil authority yet taken cognizance of this horrible outrage. THOMAS HART BENTON, Lieut. Col. 39th Infantry."

The assassin like character of this transaction, must be considered far from honorable to the spirit of assailants. Murder in a duel is redeemed from shame by the display of courage and the generous provision for equal danger. But the deliberate attack by *five* armed men upon only *two*—the suddenness of the onset, the firing on Col. Benton before he had a weapon drawn, and this within ten feet,—all this was plainly murderous in intention without being brave.

No notice of this outrage was taken by the police or magistracy.

While Gen. Jackson was still suffering with the fracture of his arm, received in this affray,(1) he was obliged to take the field against the Creek Indians.

His former expedition, as we have seen, had been entirely ineffectual, when he descended the river to Natchez, and returned without seeing an enemy. Other commanders had been more lucky. Col. Newman, with a party of Georgia militia, had made a successful inroad, and killed about fifty of the warriors.(2)

Colonel Williams also had led a body of volunteers from East Tennessee, had fought three battles with the Indians, killed thirty-eight and wounded many more, besides taking a large number of prisoners; had burnt several towns, destroyed the corn, and brought off a rich booty, consisting of four hundred horses and an equal number of cattle.(3)

These successes had been gained during the period of Gen. Jackson's fruitless expedition to Natchez; and so much had the Indians been beaten, that "it was the opinion of Col. Hawkins, (the agent) and also of Gen. Hampton, who passed through the Creek country during these transactions, that they might safely rely on the peaceful conduct and *friendship* of all the Creeks, excepting only the Seminoles."(4)

In 1813, the massacre at Fort Mims showed that, though the strength of the Indians was impaired, their spirit was not subdued. It was in consequence of this calamity the legislature of Tennessee ordered a force of 3,500 men to be embodied, of which Gen. Jackson took the command, in October, 1813.(5)

Early in November, he reached the Ten Islands on the Coosa river. He detached Gen. Coffee with nine hundred men to destroy the Talluschathe town; which service was effectually performed. Every *man* in the town was killed; and some of the women and children, unavoidably, perhaps, in the midst of such shocking butchery of their husbands and fathers, and "in consequence of the men flying to their houses and mixing with their families."(6)

Gen. Jackson had thus been preceded by several other commanders in this work of destruction against the miserable Creeks; a few days afterwards, however, at a place called Talladega, he had an opportunity to emulate their exploits. Coming up with a body of Indians, which he completely surrounded, a massacre took place not at all inferior to those which had gone before. "In their

1 Mr. Walsh's Biography, in the American Monthly Magazine, p. 73. Eaton's Life, first edition, p. 36. Eaton omits all description of the fight in which it had been injured.

2 M'Affee's History, p. 456. (3) Ib. (4) Ib. (5) Eaton, p. 31, 36.

6 Gen. Coffee's official report. M'Affee's History, 7, p. 465.

flight, the Indians were met at every turn, and pursued in every direction.”(1)
 “It was the opinion of the General, that if he had not been compelled to dismount his reserve, scarcely any of the enemy could have escaped *destruction*.”(2)
 “Probably *few* escaped unhurt.”(3) The loss of the Indians, as stated by themselves, was not less than six hundred.

The residue of the campaign was marked by a series of disputes between the General and the militia, such as have never occurred in any other part of the military service of this country. The zeal of Gen. Jackson was unquestionable; his desire to punish the Creeks, to emulate the successes of Col. Williams, and to push the war boldly towards the Florida frontier, perhaps, led him into erroneous views of his own power, and into too contemptuous an opinion of the rights of the militiamen.

After some difficulties, arising from the extreme want of provisions, the approach of the day when their term of service expired, gave to the volunteers an occasion to claim their right to return. They had volunteered for one year, from December 10th, 1812. But when the 10th December, 1813, arrived, Gen. Jackson claimed to hold them longer; alleging that the Act of congress contemplated an actual service of three hundred and sixty-five days; and as they had been discharged by the war department, and by him in the preceding spring, and now called out again, they were not entitled to go till they had served much longer. (4) Col. Martin, who commanded one of the regiments, addressed a respectful letter to the General, setting forth their determination to remain only till the 10th, and assured him “that all had thought themselves finally discharged on the 20th of April last, until they saw the order of September 24th,” requiring them to rendezvous at Fayetteville on the 4th of October; and that the officers assured them their services would terminate on the 10th of December.”(5)

General Jackson called them *mulineers* and *deserters* if they attempted to leave him as they intended. (6) And on the 10th, the “artillery with two field pieces, and the militia under the command of Col. Wynne, on the eminences, in advance, were ordered to *prevent* the departure of the volunteers.” (7) He went as far as to order “the artillerist to prepare the match.”(8) The officers, it seems, desirous to avoid bloodshed, agreed to remain a few days longer. An attempt was made to persuade them to continue, by an address, in which they were threatened with ‘disgrace,’ &c. But “this appeal failed of the desired effect,”(9) and they went home.

Gen. Coffee’s brigade was the next to give trouble. They had been called out for three months, in September, 1813;—their three months had expired, but it was said their officers had agreed for them to continue through the winter. This they protested against as being done, if at all, without authority from them, and they insisted on going home.(10) General Jackson insisted on the Act of February 6th, 1812.(11) Not adverting to its repeal eight months previous to their being drafted; told them that “patriotism was not to be measured by months and weeks and days,”(12)—called them *deserters*,(13) but could not prevent their going home.

The brigade of West Tennessee militia also claimed their right to go home at

1 M’Affee’s History, p. 468.

(2) Ib.

3 Eaton, p. 57, first edition. (4) The Act of congress which Gen. Jackson cited, was that of February, 6th, 1812. [Eaton, p. 29.] This Act, Sec. 2d, provided that the volunteers, if accepted by the president, “shall be bound to continue in service for the term of twelve months after they shall have arrived at the place of rendezvous, unless sooner discharged,” Laws of the U. S. v. 4, p. 375. These volunteers tendered their services in November, and rendezvoused on the 10th Dec, 1812, from which day, for twelve months, they were bound to do military duty, if ordered, unless discharged; but their discharge was ordered by the government on the 5th of January, 1813, [Eaton’s Life, first edition, p. 19.] The Act of congress was repealed on the 29th of January, 1813, [Laws of the U. S. v. 4, p. 444.] And were “dismissed from service” in the spring. [Eaton, p. 23, first ed.] It is unaccountable that Gen. Jackson should have relied on such a foundation for his claim to detain these men.

(5) Ib. 77, 78. (6) Ib. 84. (7) Ib. (8) Ib. 83. (9) Ib. 89. (10) Ib. 90. [11] Ib. 94. [12] Ib. 95. [13] Ib. 92.

the expiration of their three months. Gen. Jackson contended that as they were called out for the purpose of subduing the Indians, and that object was not yet attained, they were not entitled to leave the service. (1) As this rule would have subjected them to an indefinite term of duty, they would not submit to it. Gov. Blount told them they were entitled to go home. (2) But Gen. Jackson "believing it to be his duty to keep them," on the day their term of service expired by law, "issued an order, commanding all persons in the service of the United States, under his command, not to leave the encampment without his written permission, under the penalties annexed to the crime of *desertion*." (3) A Lieutenant Kearley of this brigade, who was about to leave the camp, was ordered to be arrested—his men were about to protect him, but Gen. Jackson levelled a pistol at his breast and induced him to surrender. "A scene of bloodshed was narrowly escaped." (4) For what purpose it was risked cannot be conjectured, as the "rest of the brigade, except Capt. Willis' company and twenty-nine of his men, continued their march towards home." (5)

A regiment whose time was to expire soon after this occurrence, was plied with an address intended to work upon their feelings, and induce them to remain; but persuasion was equally fruitless with the force before resorted to: "what was hoped for did not result,"—they united in going, nor could they be persuaded to stay even for twenty days.

What could have made the General so unpopular with the militia does not appear, unless the pretension of a right to determine the length of their service.

Anxious to be again in command of a respectable army, he urged the governor to order a further draft. But governor Blount, as he had executed the Act of Assembly and obeyed the requisition from Washington, justly considered his powers on this subject at an end, unless in case of emergency. (6) Gen. Jackson urged him to proceed without law or authority of any kind, and wondered at his "waiting for a definition of his powers." (7)

The governor having been persuaded to order out 2,500 men for a three months term, a part of another division refused to join Gen. Jackson's camp, because "he would, with the regular force under his command, compel them to serve as long as he pleased;" (8) so entirely had his proceedings destroyed all confidence in his character! They also considered the draft irregular, under which they had come out; and one hundred and eighty went home. (9)

A force of 5,000 effectives [10] being at last collected, Gen. Jackson marched them towards the Creek country, and with three thousand, besides friendly Indians, came up with about one thousand Creeks, at a place called Tohopeka or the Horse-shoe. Deluded by their prophets, these unfortunate children of the forest stood their ground against so vast a superiority of force. Nearly all of them were killed, [11] with little loss to the Tennesseans.

The work of destruction continued long after all attempts at resistance had ceased; and it must be owned, that Gen. Jackson sullied the American military character, and particularly his own, by the barbarity of his massacre, in cold blood, of unresisting fugitives and those who attempting neither escape nor resistance, could be regarded only in the light of prisoners. He recorded this unhappy exploit in his own words in a letter to Major Gen. Pinckney, dated March 25th, 1814, published in Niles' Register, vol. 6, p. 130. Viz.

"DETERMINING TO EXTERMINATE THEM, I detached General Coffee, with the mounted men and nearly the whole of the Indian force, early on the morning of yesterday, to cross the river, about two miles below the encampment, and to surround the bend in such a manner, as that none of them should escape, by attempting to cross the river. Five hundred and fifty-seven were left dead on the Peninsula, and a great number of them were killed by the horsemen in attempting to cross the river; IT IS BELIEVED THAT NO MORE THAN TEN HAD ESCAPED. We continued," he adds, "to DESTROY many of them who had concealed themselves under the banks of the river, until we were prevented by the night. THIS MORNING we killed sixteen which had been concealed.

(1) Eaton, first edition, p. 100. (2) *Ib.* p. 110. (3) *Ib.* *ib.* (4) *Ib.* 111.
 (5) *Ib.* 112. (6) *Ib.* 101. (7) *Ib.* 102. (8) *Ib.* 146. (9) *Ib.* 145. (10) *Ib.* 142.
 (11) Eaton, 145.

General Jackson is the only American commander that has ever encouraged and premeditated the imitation of Indian barbarities, in the slaughter of captives and unresisting men. And in his case it was the more marked, because a whole afternoon and night had elapsed after the excitement of battle had passed away.(1)

This affair scarcely deserved the name of *victory*,—the immense superiority of force on the part of the Tennesseans, rendered all attempts at resistance, on the part of the Indians, merely desperate.

The Creeks now totally broken down by the havoc made among them by Newman, Williams, Floyd, White, and lastly by Jackson, sued for peace; and Gen. Pinckney taking the immediate command, ordered the Tennessee militia to be discharged.(2)

Gen. Jackson, in an order issued at Nashville on the 24th of May, 1814, declared that "the Creek war had been brought to a happy termination," (3) but he was not disposed to remain in the quiet and unimportant condition of a militia general officer *not* in service. He ordered a draft of 1,000 men from his division to be mustered on the 20th June, for a tour of *six months duty against the Creeks*.

It is said this order was issued by the governor's directions,—if so, it is not easy to account for the boldness of issuing an order so manifestly in contempt of the laws of the United States.

It must, in all probability, have been known to Gov. Blount, that the Act of 1812, authorizing such drafts, had expired, by limitation, in April, 1814; and that the law of 1795, in force, expressly directed the militia tour to be *three months* only; and, also, that the very recent Act passed April 18th, 1814, provided the same limitation in favour of the militia men, leaving a discretionary power in the *President* only, to extend the term to six months.

Perhaps the governor did not advert to the expiration of the law of 1812. Of Gen. Jackson it may fairly be presumed, after his conduct and avowed opinions of the past year—that he did not consider the *legal right* a very important question, in reference to the service to be exacted from militia.

Just at this time Gen. Harrison resigned, and president Madison thought proper to appoint Gen. Jackson in his stead a Major General in the army of the United States.

Various new military forts were established in the Creek country, and Gen. Jackson received orders to negotiate or *prescribe* a treaty of peace and cession with the almost exterminated tribe.

The orders of the secretary of war to Gen. Jackson on this subject were, "that the proposed treaty should take a form altogether military, and be in the nature of a *capitulation*; in which case the whole authority of making and concluding the terms will be in *you exclusively*, as commanding General.(4)

The accompanying instructions, as to the terms to be prescribed, looked merely to indemnity and security to the *United States*; but the General thus entrusted with full power to *dictate* the terms, concluded a treaty, in which, besides a large cession to the United States, there was also stipulated a cession of *three miles square* of land for *himself*, one mile square for Col. Hawkins, and one mile square for the interpreter. These unprecedented and very improper stipulations were not confirmed by the senate.(5)

The treaty of cession with the Creeks being concluded, Gen. Jackson proceeded to Mobile, and had an extensive command of regulars and militia.

Upon the 1st of September, he received intimation of an intended attack on New Orleans. (6) He ordered a number of Indians to be taken into the pay of the government, and took measures to raise volunteers in Tennessee—preferring that irregular course rather than a lawful draft by the governor's order. (7) Two thousand men were actually collected in Tennessee,—three regiments of regulars were with him at Mobile, besides the militia,—every thing was presently in complete readiness, and the troops "collected for the campaign, in high

1 General White killed 60 and captured 256. See his official account in Niles' Register for December 25th, 1813. General Floyd, at Atossee, killed 200—but all in action. Official letter in the same paper. (2) Eaton, p. 152. (3) Niles Register, vol. 6, p. 298. (4) Eaton's Life, 198. (5) *Ib.* 209. (6) *Ib.* p. 226. (7) *Ib.* 227.

spirits, set out for the point to which danger, duty, and their country called them.”(1) This “*point*,” doubtless, was New Orleans: “an attack on the country bordering on Mobile was an event not much to be apprehended.”(2)

General Jackson was unfortunately led to postpone all measures for the defence of New Orleans for the sake of a very fruitless visit to Pensacola.

He had been carrying on an angry correspondence with the Spanish governor of that place for some time—and, at last, on the 7th of November, he took forcible possession of it.

His army, on this occasion, amounted to 4000 men;(3) the opposing force was only 300 or thereabouts;(4) no regular defence was made, but a few straggling shots killed eight of the Americans.

The object of this invasion was to get possession of a fort six or seven miles from Pensacola at the Barancas;(5) but in this he was disappointed, as it was blown up and destroyed by the Spaniards after Pensacola was entered.(6)

Why the fort was not made the first object of attack is not very clear. At all events the expedition was thus foiled, and the army returned to fort Montgomery.

The march of 4000 men to Pensacola for a purpose which was entirely baffled, was an unfortunate loss of time in the preparations for defending New Orleans. Gen. Jackson did not set off from Mobile for that most important point, until the 22d of November,(7) which was nearly three months after he had been informed of the attack intended on that place by the British.(8)

Gen. Jackson's partiality for going into Florida has at various times been excessive; on this occasion his military character had to answer, not only for this extreme dilatoriness in repairing to New Orleans,—but also for the decision which he made to leave the greater part of his army, of 4,000 men, near Mobile, where *no attack was apprehended*;(9) and take with him only a small *detachment* to the place where there was most need of a strong force;(10) where, in fact, he expected to meet a prompt attack. His motive for leaving so large a force of regulars where he expected no attack—and where, indeed, there was no temptation to the enemy—must be looked for in his anxiety to enforce his notions of militia discipline, and to be revenged for the vexations which he had been obliged to endure in the preceding year, from the militia so frequently insisting on leaving him when their term of service, according to their construction, had arrived.

The detachment drafted under the division order of May 24th, had assembled on the 20th of June, and, previous to the march to Pensacola, had been stationed at Fort Jackson, one of the posts erected in the Creek country.

It was notorious that Gen. Jackson had openly contended for the right to detain militia after the expiration of their term of service, if he thought the *object* of the campaign required their stay;(11) and that the militia of Tennessee resisting this novel and despotic pretension, had, on several occasions, carried their point—and exercised their legal right to go home, and make room for others to take their places.(12)

In this last drafted regiment the same determination prevailed which had been

1 Eaton, 227. (2) *Ib.* 226. (3) National Intelligencer, December 10th, 1814. (4) *Ib.* Gov. Blount's letter to Gov. Shelby. (5) *Ib.* (6) *Ib.* (7) Eaton's Life, 256. (8) *Ib.* p. 226. “The order reached Col. Butler at Nashville September 9th, urging him to hasten the volunteers intended for the defence of New Orleans, and raised in consequence of the anticipation of an attack there.”(9) Eaton, p. 226. (10) National Intelligencer, January 2d, 1815. “Information from New Orleans. Gen. Jackson, with a detachment of his army, arrived there on the 1st of December, and on the 2d proceeded down the river,” &c.

There were at Mobile in November, of regular troops “the 3d regiment, part of the 44th, and the 39th.” [Eaton's Life, p. 225.] Of these he took only the 44th to New Orleans.—See the Nat. Intelligencer of January 21st, 1815,—leaving the 39th and 3d,—of which the 3d followed sometime after—but not till the fighting was all over.

11 Eaton, p. 100, 115, 121, &c. (12) “The riflemen insisted, that they could not be held in service after the 24th, that being three months from the time they had been mustered.” Eaton's Life, p. 97.

Gen. Jackson being advised by Gen. Coffee, not to attempt to detain them, p. 98, answered: that they were going home as *deserters*, p. 100, and that “they must be luke-

so often exhibited before; and their tour having been called a *six months tour* by the General, they knew was only like his having, in 1813, held the service of the volunteers to be 365 days in two years,(1)—when his endeavours to detain them by that claim totally failed.

Two of their officers told them that three months was to be the length of their tour;—as did a brigadier general before they left Tennessee.(2)

Under this impression they made arrangements, as had formerly been done, for a departure, and, at the expiration of the three months, about 180 set off for home.

Gen. Jackson instantly ordered them to be pursued and brought back. Many of them, hearing this, came voluntarily back to the fort. The expedition to Pensacola prevented an immediate trial; but a court martial was ordered by Gen. Jackson.

Before it could convene he was obliged to set off for New Orleans.

It is impossible to imagine any good reason for leaving the two regiments of regulars at Mobile when their presence was so much wanted at New Orleans, except an anxiety to ensure the enforcement of his often declared, but as often baffled, pretensions to the control of the militia beyond the term of service provided for by the Act of congress.

Mr. Senator Eaton states in his preface, that in writing his "*Life of Gen. Jackson and History of the War, in the south*" he had "the opportunity of constant and repeated intercourse" with General Jackson; and he builds on this fact an assurance of his *perfect* accuracy.

It may therefore be considered Gen. Jackson himself who declares that *an attack on Mobile or its vicinity was not apprehended*. For defence against the enemy, therefore, those regiments were not needed at Mobile; but the safety of New Orleans was jeopardized for the sake of revenging himself for the former disrespect of the militia, by a severe punishment to be inflicted, by means of the regulars, upon the one hundred and eighty men who ventured to have their own opinions upon their legal obligations.

Gen. Jackson reached New Orleans on the 1st of December, and, on the 2d, left it to examine the fortifications on the river.(3) He returned on the 9th, and was occupied in preparing for an attack.

The most patriotic spirit prevailed universally in New Orleans,(4) the expectation of a visit from the enemy had existed for more than two months, during which time the arrival of Gen. Jackson and his army, which was known to be 4000 strong, and within a few days march—had been anxiously expected.

The legislature had appropriated \$50,000(5) for additional fortifications, and placed \$6,000 in the hands of Commodore Patterson, who commanded the United States naval force on that station.

With this money, used as extra bounties, the Commodore fully manned two armed vessels on the river (6)

The whole population devoted itself to the defence of the country. A levy *en masse* was effected. Even the old men organized themselves into companies,

warm patriots, who, in the moment of danger and necessity, can halt in the discharge of their duty to argue and quibble on the construction of laws and statutes," p. 102. "Nevertheless, except a few officers and three or four privates, they persisted in the determination to abandon the service." See p. 106.

Several similar instances are recorded in "*Eaton's Life*,"—and in no one case was any punishment attempted to be inflicted.

1 Eaton, p. 86. (2) Trial of Capt. Strother, &c. Official proceedings. (3) Nat. Intelligencer, January 9th, 1815. Eaton, p. 259. (4) This is testified in the strongest terms by "Major Latour, principal engineer in the Seventh Military District," an active participant in the campaign—high in the General's confidence, of whom he was an ardent admirer. See his "*Historical Memoirs of the War in West Florida, and Louisiana*," dedicated, with the assurance of respect and devotion, to General Jackson. "All the inhabitants of Louisiana, without the distinction of birth, colour, age, or sex, vied in zeal for the service of their country, and strained every nerve to repulse the enemy." Latour, p. 228. "Their conduct is the most emphatic refutation of the unjust charges of their calumniators." *Ib.* (5) National Intelligencer, January 21st, 1815. (6) Letter from Com. Patterson to the secretary of the navy, National Intelligencer, Feb. 14th, Latour, 68.

the ladies employed themselves in making clothes for the militia, and coloured people became volunteers, and were allowed to join in the preparations to repel the enemy.(1)

This general co-operation and good feeling continued; different detachments of volunteers and militia continued to arrive; and the Louisiana volunteers, especially the French natives, improved themselves by constant drilling, under the instruction of several officers who had served in Europe.

The first event which interrupted this happy state of harmony and general good will, was the refusal of Gen. Jackson to accept the services of the city volunteers, because they desired to stipulate that their 'probable destination' should be the defence of their own state,—and that they should not be marched off to garrisons in the Creek country or elsewhere at a distance.[2]

Gen. Jackson insisted that they should place themselves on the footing of regular soldiers—and be subject to whatever military service he might require of them. He told them that "soldiers who entered the ranks must forget the habits of social life, and be willing and prepared to go wherever duty and danger called them—such were the kind of troops he wanted, and none other would he have." [3] The citizens of Louisiana were much disappointed and surprised by this refusal. They sincerely desired to expose their lives in defence of New Orleans, but were not willing to be sent to Florida, or against the Indians on distant campaigns as regular enlisted soldiers, with a General who was known to regard his own view of the occasion for their future services, as the only boundary to the extent of their tour of duty; and to condemn the militia laws as affording only subjects for ill-timed "*quibbles*." [4]

It is not impossible that he thought more seriously of the dangers impending over New Orleans, than he had done when he lingered so long in Florida after being apprised of the expected attack,—or when he left two regiments of regulars behind him. But even such an increase of apprehension does not account either for this treatment of the volunteers, nor for the request which he suddenly made on the 15th of December to the legislature, that they would *suspend the writ of Habeas Corpus*.(5)

1 Besides the positive declarations of Major Latour, there is abundant evidence of the od spirit that pervaded this community,

A large town meeting was held so early as September 15th, at which the most patriotic resolutions were adopted. They repelled with scorn the "English assertion of disaffection in the state,"—which they call an "unfounded and calumnious insinuation."

They resolved, also, that they "considered the crisis serious, but not alarming,"—that the country was "capable of defence,"—that they did "not despair of the republic,"—and would "at the risk of their lives and fortunes defend it," &c.—Latour's Appendix, p. 26.

The same sentiments were repeated in toasts at a great dinner on the 19th October, National Intelligencer of December 16th, 1814.

Thus the information from New Orleans is said in the Intelligencer of January 2d, 1815, comprising dates up to the 12th December, to be that "The people are all in high spirits, and no doubt was entertained, with their present force, of being able to repel and defeat any expedition the enemy may send against them."

Thus, also, Gov. Claiborne, of Louisiana, wrote to Gov. Blount:—"We are united as one man, and a spirit prevails which ensures our safety." Nat. Intel. Jan. 30th, 1815.

And Gen. Jackson in an address to the mayor declared, that he was "deeply impressed with the unanimity and patriotic zeal displayed by the citizens," &c. and spoke of his exalted sense of their patriotism, love of order, "attachment to the principles of our excellent constitution,"—their courage,—fortitude,—humanity,—liberality, &c.—Latour's Appendix, p. 73, &c.

2 He had issued a proclamation addressed to the Louisianians, on the 2d of September—urging them to arm, &c., and apprising them that any volunteer companies, &c. would be organized which should offer, and be informed of their probable destination. Latour's Appendix, p. 30.

3 Eaton, p. 300. (4) Ib. 102. (5) Eaton's Life, &c. p. 300. The reasons stated for desiring a measure yet, happily, unprecedented in America, even during the worst period of the revolution, are, that intimations had been privately given to him that some disaffected persons were to be found in New Orleans—This was one of the "English assertions" which the meeting of September 15th had repelled as *calumnies*,—and in adopting such insinuations as the foundation of so strong a measure, he insulted and offended the whole state,

The legislature appointed a committee to consider this request; and a report was made the next day unfavourable to the adoption of a measure which the committee declared to be entirely unnecessary, and likely to weaken the defence of the city by interrupting the excellent feeling then prevailing—and calculated only to create the disaffection which did not then exist.

The legislature, however, passed an Act suspending all civil suits and processes, and shutting up the courts.(1)

Gen. Jackson without waiting to ascertain what the legislature would do as to the writ of *Habeas Corpus*, proclaimed martial law, and thus took all power exclusively into his own hands;(2) and made himself despotic master of the whole population.

NECESSITY has been called by Milton the "tyrant's plea." It has been the excuse offered for all establishments or acts of tyranny, including all the dictatorships and military despotisms in history. In this case it was freely used,(3) but the fact of such necessity was not made out. The force under Gen. Jackson's command and within a few days march, could not have been less than 10,000 men in arms;(4) no proof of disaffection ever has appeared, and it is not easily conceivable how the suspension of the *Habeas Corpus* or the abolition of all law could allay, restrain, or detect disaffection if it existed.

This assumption of despotic power was followed by some measures of very dubious propriety and policy.

The pirates of Barataria with their noted chief Lafitte, were allowed a safe-conduct, and enrolled with the soldiers and volunteers.(5) The jails were emptied, and the convicts placed in the ranks along side of the "best blood of the country." (6) And all persons whatsoever found in the city, strangers, sojourners, passengers, and inhabitants, were pressed into the service under the General's orders.(7)

These proceedings, of course, occasioned much disappointment and dissatisfaction;(8) but the disposition was very general to bear with all such excesses of authority, to look at them as proofs of energy, and to sacrifice all considerations to the main object—a successful defence. The expectation of an immediate attack at least postponed all complaints.

New Orleans can only be approached from the ocean by ascending the river

1 Act of December 15th, 1814. Latour's Appendix, p. 40. (2) Eaton, 301. This was on the 16th December. General Jackson's construction of the new rule was, that all the country was a camp,—every person a soldier,—all civil rights suspended, &c. [See his disapproval of the acquittal of Mr. Lonallier.] It is impossible to imagine a more debased slavery than the condition of persons not actually soldiers and yet being within a camp, where only military laws prevail. Such was precisely the condition of the poor Greeks under the Turkish domination—and the Helots in Sparta—each man a slave having a thousand masters, (3) —"the long approved doctrine of *necessitas rei*," Eaton, 301. (4) In New Orleans 4,000. Letter from J. Johnson, Esq. National Intelligencer, of January 9th, On their way 4,000 under Coffee and Carroll, who arrived the 21st of December,—National Intelligencer of January 21st,—and the rest at Mobile. (5) *Ib.* M'Affee, 526, Latour 71. The employment of pirates and convicts—men in whose fidelity there could be no reliance—was a strange measure, at a time when there were more men than arms for them to use—for "a considerable portion of our troops were inactive and useless for want of arms to put into their hands." Eaton, 371.

If treason and disaffection existed in the city, these men were so many recruits provided for the internal enemies. The employment of such degraded wretches in the same posts with intelligent and respectable volunteer corps, must have been extremely annoying, and the more particularly, because in a proclamation issued September 21st, General Jackson had adverted to the willingness of the British to associate with these same pirates, in very contemptuous terms: "Can we place any confidence," he asked, "in the honour of men who have courted an alliance with pirates and robbers? Have not these noble Britons, &c, done this? Have they not made offers to the pirates of Barataria to join them in their holy cause? And have they not dared to insult you by calling on you to associate with them and this hellish banditti," &c. Latour's Appendix, p. 30. Nevertheless, he afterwards associated the same banditti with the gentlemen of New Orleans in the defence of his lines, where the regulars left at Mobile should have been.

6 Latour, p. 69. [7] *Ib.* Afee, p. 507. [8] Eaton, p. 302. "This rigid course was by no means well received."—National Intelligencer of January 12th, 1815.

or passing through some one of the narrow creeks from Lake Borgne—or by a circuitous approach by land from Florida. It was incumbent on the General to watch these approaches with care, and it would have been prudent to concentrate his force at New Orleans,—the central point, so as to be ready to meet an enemy approaching by either of the few practicable passages.

It must be acknowledged that the General was less successful and energetic in his preparations to meet the enemy, than he was in putting down the civil authority in New Orleans.

It was not till the 15th of December that he sent orders to Generals Coffee and Carroll of the Tennessee, and Gen. Thomas of the Kentucky militia, to expedite the march of their respective armies to New Orleans.(1) This was the day after our naval force on the Lakes was captured by the enemy, whose squadron, lying off the coast, had been so much augmented, as to leave no doubt that a considerable military force was on board.(2)

On the 18th December the General issued a general order, announcing that he expected the enemy “in a few days.”(3) The appearance of the British squadron on the Lake, and the capture of our gun boats, there gave fair warning that their approach would be by that passage—and, indeed, the river was too intricate and well defended by a fort, and by Com. Patterson’s armed vessels, to allow of the possibility of their ascending it. The Lake, which is open to the ocean, lies to the north-east of New Orleans; creeks called *bayous* extend the navigation towards the plantations along the east side of the Mississippi, and several of these plantations had canals for the purpose of communicating with the navigable waters.

The importance of watching, obstructing, and defending these bayous and canals, was too obvious to be overlooked.

Accordingly, very soon after his arrival he had “sent orders to Gov. Claiborne to cause all the bayous to be obstructed.”(4)

And on the 21st December, “when the orders that had been given for obstructing the different canals of the bayous were *presumed to have been executed*, a detachment of the 3d regiment of militia, consisting of eight white men and a sergeant, two mulattoes and one negro were sent by Major Villere to the village of the Spanish fishermen on the left bank of the bayou *Bienvenu*, a mile and a half from its entrance into Lake Borgne, for the purpose of discovering whether the enemy might try to penetrate that way, and to give notice of such attempt.”(5)

That Gov. Claiborne was censurable for not having executed the orders received three weeks before, and that Major Villere, a militia officer, was equally remiss in sending *such* a guard to an out post so important, and removed not less than six miles from his station,—is equally clear. But it is difficult to explain why Gen. Jackson—with his numerous staff, his regulars, his fine cavalry, and his own character for activity, should only have “presumed” the bayou had been obstructed, without examining it himself, and should have suffered so important an approach to be watched, at such a crisis,—two days after he had declared he expected the enemy,—by no cavalry, no regulars, no staff officer, *no officer at all*, indeed, and thus allow the British to be on shore *twelve* hours, within a few miles of *New Orleans*, without his knowing of their having landed!!!

So it happened however. The sergeants’ guard, of *eleven* men, were surprised and captured in the night of the 22d.[6] The British landed in considerable numbers, moved across the country from the creek to the river, about six o’clock to Mr. Villere’s plantation, where they surprised and captured a company in broad daylight, after ten o’clock in the morning of the 23d.[7] And Gen. Jackson, who was only six miles off—in the city—knew nothing of it till after one o’clock.[8]

Even *then* he must have been very imperfectly informed; for he at first “was

1 Latour, p. 65. (2) National Intelligencer of January 9th, 1815. Letter from New Orleans, dated December 16th. “Intelligence was received last Monday of the arrival of a fleet off Cat Island, with 6,000 men on board, &c.” (3) Latour, p. 69. [4] *Ib.* p. 54. [5] *Ib.* 77. [6] *Ib.* 84. [7] *Ib.* 86. [8] *Ib.* 88.

of opinion they were a mere plundering party, and fears were entertained lest they should retreat to their boats and escape.”[1] And Col. Hayne, the Inspector General, after reconnoitring, reported the enemy to be only two hundred men.[2] The British had landed above two thousand men; and as they were at Villere’s plantation within six miles from New Orleans, with no intervening obstructions, *three hours* before Gen. Jackson heard of their landing, and his force was scattered in every direction, it cannot be doubted that if Gen. Keane the British commander, had pushed on, he would have taken the city of New Orleans with perfect ease and certainty.[3]

Gen. Jackson took measures to collect his troops—but it occupied him *six* hours, from half past one till half past seven, to get them ready and march them six miles from the city, to the neighbourhood of the British.

The numbers on the British side engaged in the skirmish which followed, are not easily ascertained with precision.[4]

The number of men that Gen. Jackson took into the skirmish is also uncertain. (5) He left a large part of his force behind, and giving Gen. Coffee command of the Tennessee mounted men and some volunteers, besides the Mississippi dragoons, sent him to take post on the north of the British.

The river runs eastwardly from New Orleans. He *directed*, as he says, [or *requested*, as the Commodore says,] Com. Patterson to attack the enemy with his sloops of war. The Carolina accordingly moved down, and at half past seven opened a destructive fire on the British, which threw them into confusion.[6]

Gen. Jackson, with the right division, moved down the river road, but his troops got into confusion in the march in consequence of being marched in *line* over ground much obstructed.[7] Coffee was obliged to abandon his horses,—and leave the Mississippi dragoons behind;[8] he advanced gallantly on foot towards the British from the direction in which they had come in the morning, and met a large number of them retreating from the fire of the ship. There was

1 National Intelligencer, February 4th, 1815. Letter from J. H. Johnson, Esq. of New Orleans, dated December 30th, 1814. [2] Latour, 90. This blundering report of Col. Hayne, which was made, it seems, late in the afternoon, shows strikingly how miserably the patrolling, videtting, and reconnoitring service must have been arranged.

3 Gen. Morgan, with the Louisiana drafted militia, was at the ‘English turn,’ several miles further from New Orleans, down the river, and was thus *cut off*. Latour, p. 101.

The volunteer uniform companies were at Bayou St. John, several miles to the north. Ib. 87. The Tennessee troops and Mississippi dragoons were encamped four miles above the city. Ib. The regulars were in the city.

4 Gen. Jackson says 3,000, in his official letter to the secretary of war. National Intelligencer, January 30th, 1815. Latour’s Appendix, p. 16.

The ‘principal engineer’ and historian, Major Latour, who was there, and received Gen. Jackson’s compliments for his good conduct, says, they amounted to 2,250—being the half of Keane’s division,—the other half arriving in the course of the night.

The impression at New Orleans, at the time, was, that this affair was a mere skirmish of the advance guards. Thus a letter dated at New Orleans, December 23d, at midnight, to the Post-Master general—published in the Intelligencer of January 21st, 1815, states, that “an engagement took place last evening between the *advance guards*, in which the enemy was repulsed;—the General has taken a position three miles in the rear,” &c.

And Gov. Claiborne, who was in the fight, wrote to a senator, December 30th: “Towards dark (on the 23d) the *vanguard* of our army had a brisk engagement with the enemy, in which we had several killed, many wounded, and some missing,” &c. Intelligencer of January 30th.

5 Major Latour says—p. 105.—the right, commanded by Gen. Jackson, consisted of 1,500 men; the left, under Gen. Coffee, had 732. Gen. Jackson, in his official report, said, they did not all exceed 1,500. Latour’s Appendix, p. 14.—Mr. Eaton says 2167. p. 327.

6 Official report of Com. Patterson to the secretary of the navy. Also, Gen. Jackson’s official letter. And letter of Mr. Johnson, National Intelligencer of February 4th, 1815, Also, Eaton, p. 312,

7 “The consequence was an early introduction of confusion into the ranks, whereby he was prevented from the important design of uniting the two divisions,” Eaton, p. 316.

“The centre became confused and was forced into the rear.” Ib. This “checked the rapidity of his advance,” &c. Ib. 322.

8 The ground was not suitable for cavalry, yet *all* the mounted men were in *this* division, Eaton, 312.

not much order, but a great deal of gallant fighting;—the city rifle company were brave even to rashness, and suffered severely.[1]

Gen. Jackson's wing having got into confusion very "*early*," never approached nearer than about 1,200 yards of the British main body.[2] They had an engagement with an advance guard which they drove in. They then retired *leaving the dead* on the ground,[3] at half past eight—after an hour's skirmishing; but whether they were taken at once to the place where an entrenchment was afterwards made, or remained inactive in the dark, close by the enemy, is difficult to state.[4]

The events of this day and night can scarcely, on an impartial review of them, be considered as adding to the military reputation of the General. The British army, long expected and looked for, reached Villere's plantation early in the morning, and were on land all day without being molested, till an hour or more after sunset. They were all this time within "two leagues"[5] of New Orleans, where Gen. Jackson was in command of not less than 5000 men well equipped, [6] whom he had scattered so as to be unable to concentrate them for five hours after he knew the British were at hand. He had also the co-operation of two well armed sloops of war, that could reach the enemy with their cannon balls and grape shot. The Carolina threw the enemy into confusion by an unexpected and destructive fire,[7] and with this favourable opportunity for attack, with all the advantage of superior numbers, fine artillery, and superior knowledge of the ground, he left the killed, as a trophy of victory in the hands of the enemy.

Instead of concentrating his force upon a weak point, or any one point, of the enemy's line—as was the well known practice of Bonaparte—and the obvious policy of the *attacking* army—he spindled them out into utter feebleness—so that "an express" had to inform the commander of 2167 men, what his right wing was doing.[8] Carroll's Tennesseans were purposely left out of action till late at night; the Mississippi cavalry were sent where they could not act at all—[9] Morgan's brigade was cut off, and knew nothing of the landing of the enemy till they heard the firing.[10] And his own wing was arrayed in line, long before they came near the enemy,[11] while Coffee's 600 armed only with

1 "Captain Beeler's company penetrated into the very camp of the enemy," &c. Latour, p. 99.

2 The *diagram*, or map, accompanying Major Latour's History of this affair, shows this fact. The Tennesseans were much nearer.

3 Mr. Johnson's letter, National Intelligencer of February 4th, 1815. The loss in this action is not stated by Gen. Jackson's official despatches. A letter from New Orleans, dated December 30th, states the killed, wounded, and missing at 250. National Intelligencer, February 4th, 1815. Eaton says, 24 killed, 115 wounded, 74 made prisoners, p. 328.

4 Letter from the Lieutenant of Beale's Rifle Company. National Intelligencer of January 21st, 1815, dated December 23d, at *midnight*: "An engagement took place last evening between the advance guards, &c.; the general has taken an advantageous position three miles in the rear, where he is entrenching, &c."

And Gen. Jackson says in his *first* official despatch,—"*The heavy smoke occasioned by an excessive fire, rendered it necessary that I should draw off my troops, after a severe conflict of upwards of an hour,*" &c. Latour's Appendix, 44.

But in a subsequent despatch dated the next day, the 'heavy smoke' is changed into a 'thick fog,'—and he says, "I contented myself with lying on the field that night, and at four in the morning assumed a stronger position two miles nearer the city." Ib. 45.

5 General Jackson's official despatch.

6 Eaton says there were 2167 in the skirmish—Morgan's brigade were further down the river, and Carroll's brigade and the city militia were left behind on the Gentilly road. See also a letter from an officer of the United States army dated New Orleans, December 16. [Before the arrival of Coffee and Carroll.] "We are weak here at present, say 1200 regulars and 2000 militia. We expect Coffee with 2000 in a day or two," &c. Nat. Int. January 14th, 1815. And another letter "from one of the most respectable inhabitants," dated December 22d. "Yesterday Generals Coffee and Carroll arrived with 2000 Tennesseans," Nat. Int. January 21st. Of the 2000 Tennesseans only 500 were in the action.

7 Com. Patterson's official despatch to the secretary of the navy.

8 "The express despatched to Gen. Jackson from the left wing," &c. Eaton, p. 319.

9 Eaton, 323. [10] Latour. [11] Eaton, 316.

rifles, were allowed unsupported, to make a rash attack on a force estimated by the General at three thousand.

It is manifest that if the British had pressed forward against Gen. Jackson's feeble line while "in confusion," as described by Mr. Eaton, and too remote from Coffee to derive any assistance from him,—the Americans with whatever bravery they might have fought, must have been overwhelmed and beaten in detail. Fifteen hundred men *in confusion* never could stand against three thousand—or even 2250 equally well armed and in military order.

But happily Gen. Keane who commanded this British division, was not competent to take advantage of his antagonist's error.

The consequence was, as might have been anticipated, an unnecessary waste of lives in skirmishing with advanced guards without making any impression on the main body, and finally leaving the enemy in possession of many prisoners and of *our dead*—a circumstance very irreconcilable to the boast of victory.

General Jackson having lost the opportunity to destroy the 2250 British, by attacking them with his whole force—land and naval, in day-light—went to work to throw up a strong embankment two miles nearer the city, behind which his army was from this time posted, in considerable strength and apparent safety.

The British received reinforcements, and so did the Americans.

It cannot be ascertained with precision how many men either army comprised. The numbers were probably about equal.[1] And it is clear that if the regulars had all been brought from Mobile, the British might have been attacked with every probability of their being totally destroyed or captured.

The British having resumed the offensive, several cannonadings from a distance took place without any effect. During this period Gen. Jackson having heard an intimation that the legislature were disposed to capitulate,[2] sent an aid to the governor with orders to investigate the charge and if true *to blow them up into the air*. The aid or the governor without any investigation introduced an armed force into the hall of the legislature and turned them out at the point of the bayonet.

This was not *directed* by the General: but he afterwards justified and sanctioned it.

Except occasional and distant cannonading, the opposing armies remained quiet—the Americans behind the embankment that every day was made more perfect, until the 8th of January, the day of the final attack.

The armies lay on the left or east side of the river, the Americans four or five miles below New Orleans. The other side of the river had been neglected,

1 Letter from Governor Claiborne of Louisiana, to one of the senators, dated December 30th, 1814. National Intelligencer, January 30th, 1815.

"The force of General Jackson before the enemy, is from six to seven thousand men, and is drawn up in lines behind a high and strong entrenchment impenetrable to musketry and the shot of small cannon. In front is a wet ditch along its whole length; the right flank is covered by the river, the left by an impenetrable swamp, and the whole front is defended with several pieces of cannon of various calibres," [32, 24, 12, and 6 pounders] None, even the most timid, entertain any apprehension of the enemy's ability to force our lines."

The same letter states that the "enemy have not less than four and not more than 7000 men, and of this number 1000 or 1500 are blacks."

Governor Claiborne counted the British from 4000 to 7000 at this time, and the Americans from 6000 to 7000. Another letter, (Nat. Int. of January 30th, 1815,) states the American force at 7500 before the arrival of the Kentucky troops—and adds that the "greatest confidence prevailed."

A letter from the camp dated January 6th, published in the Intelligencer of the 30th, says, "all deserters from the enemy agree that their force is from 7000 to 9000, but we generally suppose it to be about 6000." And that the Kentucky troops, near 3000 had arrived, making "our force better than 8000."

Another letter mentions the arrival of the Kentuckians on the 26th of December, and estimates the effective force at 10,000. And the Intelligencer declares, January 30th, 1815, that many other letters corroborate these.

2 Eaton, 305. This charge the members of the legislature always treated as a calumny, and their conduct certainly gave no colour to it. The French party predominated, and the insinuation came from Abner L. Duncan, who was politically opposed to them.

[1] and on the night of the 7th, Gen. Jackson, to repair the error, ordered a small detachment of Kentuckians [about five hundred, of whom only two hundred actually went,] to be posted there, near the Louisiana regiment, already behind a redoubt on that side. [2] On the 8th the enemy attempted to scale the embankment—advancing in close columns, sixty men in front, and offering a mark for the gunnery of the Americans that could not be missed. They were shot down as fast as they came near, till having lost 1,500, two of their three generals, and a large number of officers, and having killed but thirteen of the Americans, they gave up the attempt and retired. [3]

Never was a victory more easily gained. No change of position was necessary on our side—to load and fire was all the men had to do, and *that* in almost perfect safety. What part General Jackson took in the affair is not mentioned by any Historian of the transaction; [4]—in fact the General officers had little or nothing to do, but to stand quietly as spectators.

Gen. Adair in a letter dated October 27th, 1817, republished in Niles' Register for November 25th, 1826, declared that he marched his Kentucky brigade without orders to that part of the line where the attack was made, and that he *has ever been of opinion it was owing to this circumstance the enemy were repulsed.*

Latour states, p. 241, "The battalions of Plauche, Daquin, Lacoste, with three-fourths of the 41th regiment, that is to say, *our whole centre*, did not fire a single shot. The majority of the troops under Gen. Coffee did not fire at all, so that *but one-half* of our line was engaged. This is a fact for the truth of which I appeal to the individual testimony of every man in the army," &c.

On the opposite side of the river, the omission to provide fortifications or men to defend the passage, had well nigh proved of fatal importance; and nothing but the corresponding neglect of the enemy, a second time, saved New Orleans from being captured. [5]

Two hundred Kentuckians, of whom thirty were quickly killed or wounded, were posted to defend a line of three hundred yards in extent, without *any protection* in front or flank. They were driven in by a British regiment, which, if it had pressed on, might have reached the city, while the armies were engaged with each other five miles below. [6]

These Kentuckians deserved no censure for giving way before 1,000 British regulars, advancing in solid column. (7) But they were charged by Com. Patterson, with having run away, in a "most shameful and dastardly manner."—And Gen. Jackson, adopting Patterson's prejudice, accused them of *cowardice*, in his official despatch.

1 Latour states, that on that side Gen. Morgan was posted with only 550 men; that he began a breastwork 200 yards in length, leaving a large space "on the right of the 200 yards, where the breastwork had been *begun*, without any other defence than a ditch, and exposed to be turned." p. 166. Some of Morgan's militia were not armed. Ib.

2 "In the evening of the 7th, Gen. Jackson ordered Gen. Adair to send a detachment of 500 men to reinforce Morgan's camp," Latour, p. 169. Of these 500, only one-fourth had arms, and only 200 arrived at Morgan's line at four in the morning, "spent with fatigue and faint for want of food." Ib. 170.

3 Latour, 156. Latour's description of this affair is clear and satisfactory. He was present, and the officers had leisure to see all that passed.

4 Gen. Jackson was not at the place where the most vigorous assault was made, and where Col. Ramee with a few British soldiers, actually entered the redoubt; but being informed of this event, he sent a reinforcement, previous to the arrival of which, the British had been driven back, and Col. Ramee killed. Eaton, 369.

5 It appears in Com. Patterson's official despatch, that he notified Gen. Jackson on the 7th of the preparations making by the British to throw a force across the river. National Intelligencer, February 14th, 1815. (6) Latour, 174.

7 Eaton, 377, calls General Jackson's accusation "a censure they did not merit." And Gen. Adair in a letter to Gov. Shelby, January 13th, 1815, National Intelligencer, February 11th, declared "they have been *calumniated*."

A court of inquiry being held they were acquitted of all blame, and the facts were established that they were spread along a line of 500 yards, and unprotected, while the Louisiana militia, 500 strong, stood behind a breastwork only 200 yards long. Nat. Intelligencer April 13th, 1815.

General Adair of Kentucky, insisted on a retraction of this charge, and after a court of inquiry had been held, General Jackson expressed his satisfaction that they had been "acquitted of any conduct deserving of censure."⁽¹⁾ This matter was, sometime after, the subject of a very angry correspondence between the two Generals, in which accusations of *falsehood* were freely interchanged.

General Jackson, through the tenaciousness of military pride, never could be induced to do justice to the injured men, and finally he returned to the original charge in its most aggravated shape, and declared that they "fled in a most shameful and dastardly manner."^[2]

So the matter has rested since, and these Kentuckians remain branded by General Jackson, as cowards and '*dastards*.'^[3]

The British did not renew the attack. On the right or east bank of the river there was nothing to prevent the British force of 1600 men under Col. Thornton, from moving up till they should be opposite the town. But happily they did not know our weakness in that quarter.

When General Lambert of the British army proposed a temporary suspension of hostilities for the purpose of burying the dead, Gen. Jackson stipulated that the truce should not extend to the right bank;—the British commander either deceived by this into a belief that his detachment on that side of the river was in danger, or else being resolved against any renewal of the attack, withdrew those troops—and measures were then taken by Gen. Jackson to repair the omission which had left the right bank unprotected.

On the 19th of January, the enemy had entirely disappeared, and reembarked in the vessels off the Florida coast. And on the 20th and 21st, Gen. Jackson led his army back to New Orleans.^[4]

At this time arrived the 3d regiment of U. S. infantry 600 strong from Mobile, where they had remained during all the preceding month, at a distance from the scene of danger but within easy call.

Their arrival *now* only excited anew the wonder that they had not been brought in time to co-operate in the affair of the 23d of December, when with their aid the whole of Keane's division might have been captured.

The return of the army at the end of the campaign, was hailed with joy in New Orleans.^[5] The people had not been inspired with any confidence by General Jackson. His repeated declaration, that they were not themselves to be trusted, had weakened their mutual confidence; and they had dreaded not only the enemy, but the destruction with which he had menaced the city, in case he should be obliged to retreat.^[6]

A little intoxication of spirits, is excusable on such an occasion; yet the republican and the christian cannot fail to regret, that the authorities of the city should have chosen to *offer*, or the General to accept, such inappropriate modes

¹ General Jackson's letter to Gen. Adair, April 2, 1815.

² Gen. Jackson's letter to the Editors of the Kentucky Reporter, April 11, 1817.

In the Kentucky Legislature, on the 3d Feb. 1816, Mr. Rowan, now a Senator of the United States, offered a resolution approving the conduct of Gen. Adair, for "vindicated a respectable portion of the troops of Kentucky from the *inappropriate* imputation of cowardice." [Journals of the H. of R. session 1815—16, p. 258, &c.]

The same sentiment was expressed in the same body on the 8th January, 1818, and Jan. 7, 1824.

³ This is not the only instance of injustice in the official reports. The gallant Major Carmick of the Marines had his horse shot under him, his thumb shot off, a bullet in his arm, another in his head, and several balls perforated his hat [Letter from N. Orleans, Nat. Intelligencer Feb. 2, 1815] yet he never was mentioned in general orders, although almost every other officer present was complimented. It is known that he was personally not on good terms with the General; but on such an occasion private differences ought not to interfere with the justice due from a *commander* to the brave officers who fight and bleed to exalt his name.

⁴ Latour, 197 Eaton, 396. ^[5] Eaton, 396, 397. ^[6] Ibid, 344

of doing him honour as were adopted. He was publicly crowned,[1] and going to the principal Catholic Church in full military pomp—not to worship, but to be worshipped,—‘he was conducted in and seated near the altar’—a ‘wreath of laurel’ was presented to him by the Priest—children dressed in white were employed in strewing the way with flowers—and a flattering ode produced for the occasion saluted his ears.[2]

At the time of these proceedings the conclusion of the court martial at Mobile, held by Gen. Jackson’s orders for the trial of the 180 Tennessee militia, was heard of. Six had been condemned to die, the rest to have their heads shaved. Gen. Jackson, on the 22nd January,—after his triumphal entry, and when all was joy and festivity around him [3] issued the order for shooting the six in four days after the arrival of the order at Mobile [4]

The facts of the case as laid open in the evidence taken before the court martial, do not seem to have called for such severity. [5]

It is certain that the men believed their term of service had expired. It is also certain that they were so informed by officers who had better opportunities of knowing than they had. (6)

It is certain, too, that this error was their only offence, their conduct up to the time when they thought their military obligations had terminated, having been as correct as that of militia in a detached camp, not in the vicinity of an enemy, generally has been. (7)

1 M’Afee’s History, p. 525. “They crowned their adored General with laurels.” The ceremony was attended by a numerous concourse of people, and conducted in a very splendid manner. “There were many citizens of New Orleans, however, and still more, in many other parts of the Union, who condemned this *regal pomp*, as inconsistent with that republican simplicity which ought always to be preserved in our country, and as tending to corrupt the minds of our citizens, and inspiring them with sentiments of false glory, and sinister schemes of ambition.” [Ibid. p. 526.]

“A triumphal arch was erected opposite the principal entrance to the cathedral. Under the arch were two young children—‘he received the crown,’ &c. Latour, p. 200.

2 Eaton’s life, p. 398, 399.

3 On the 20th of January, Gen. Jackson entered New Orleans in triumph—‘a scene well calculated,’ says his biographer, ‘to excite the tenderest emotions.’—Eaton’s Life, &c. p. 396.

[4] ‘Adjutant General’s Office, New Orleans, January 22, 1825.

‘Major General Jackson approves the proceedings and sentences of the Court, and orders them to be carried into effect. With respect to those sentenced to the punishment of DEATH, their sentence will be carried into execution four days after the promulgation of this order at Mobile.’

5 In the official accounts lately published by congress.

6 Extract from the official record of the trial of John Harris, one of the sufferers, The prisoner stated, in his defence, ‘that he was totally unacquainted with the nature of the militia service, that he had frequently heard his officers say that they knew of no law compelling militia to remain longer than three months, and from the opinion of other men of respectability and information conceived his time of service had expired—returned his gun to his captain under that impression, took up the receipt he had given for it, and departed from fort Jackson, conscious of HAVING DISCHARGED HIS DUTY.’

On the trial of captain Strother the charge was ‘Exciting Mutiny.’

Specification ‘In this—that on the march between Fort Deposit and Fort Jackson, between the 4th of July and 31st of the same, he stated in presence of some of the troops, there was no law to compel them to serve longer than three months, and unless he was shown a better law than he had seen, he would march his company home at the end of that time.’

Capt. Strother was convicted and broke, and so was a lieutenant, for giving this opinion. In the course of the evidence in the trial of Harris, as appears from the record:—

‘James Nelson, a private in Capt. Mebauc’s company, testified that he heard General Worthington of Tennessee, say, that he did not know whether the men were ordered out for a tour of three or six months—that he had wrote to the Governor, but had received no answer to his letter on the subject.’

7 The evidence as detailed in the document recently published shows that all those condemned to die were acquitted of every charge implying disorderly conduct—and found guilty only of going away—And that one of them—David Morrow was regularly received

And it is certain that the severity of their execution was quite unprecedented. [1]

As to the legal question whether they were lawfully bound to serve six months or THREE, *opinions may perhaps differ*. It seems clear that the Acts of congress and Laws of Tennessee limited the term to three months. [2]

But it is enough that the question had difficulties. [3] If they were mistaken they suffered for an innocent mistake in a difficult question of law.

And then it was *cruel* to put them to death;—if they were right in their ‘law opinion,’ it was not only *cruel* but *murderous* to take their lives.

It cannot, in either case, be considered honourable to Gen. Jackson; and so he must have thought, when he subsequently published an earnest denial of all participation in the matter, and shifted the responsibility entirely upon Gen. Winchester. [4]

back and *pardoned* by Gen. Taylor; after which in violation of Gen. Taylor’s pledge of safety he was shot.

1 The instances of the execution of *deserters* to the enemy have been cited in extenuation of this massacre, but the difference is manifest. In deserting to the enemy a crime is committed with the *worst motives*, and no mistake is made; in going *home*, when the tour of duty is believed to be faithfully performed, the intent is certainly innocent. Without evil intention there can be no crime.

2 The Act of Congress, of Feb. 25, 1795, sec. iv. (Laws of the U. S. v. 2. p. 480,) provides that ‘no officer, non-commissioned or private of the militia, shall be compelled to serve more than three months after his arrival at the place of rendezvous, in any one year, nor more than in due rotation with every other able bodied man of the same rank in the battalion to which he belongs.’

Under no other law than this could militia men have been drafted.

Another Act of Congress, passed April 18, 1814, [Laws of the U. S. vol. 4. p. 703.] provides that ‘the militia when called into service of the United States by virtue of the before recited act [Feb. 28, 1795,] may, if in the opinion of the President of the United States the public interest require it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous, in any one year.’

No subsequent order of the President prolonging the term of duty has been shown, and the records of the war department comprise no mention of any such.

Gen. Armstrong, Sec. at war, wrote to Gen. Blount Jan. 3, 1814. ‘The militia may be considered as having been called out under the law of 1795 which limits their service to three months.’ [Documents lately published by congress.]

The militia referred to here are those drafted in 1813, whom Gen. Jackson, in Dec. 1813, pronounced ‘deserters’ because they insisted on going home at the end of three months as the Sec. of war said they had a right to do.

It is curious that six men should be shot for acting on the construction of their military duties as given by the Sec. at war.

Of the militia thus to be considered [as the law provided] in service for three months, Gov. Blount was authorized to augment the number—by letter from the Sec. at war January 11, 1814—[Document No. 2]

The question then rose whether he might also enlarge the time as to which *he* had no warrant in the law?

3 It appears in the Documents that Gov. Blount wrote to the Sec. of war for his opinion,—that capt. Strother applied to Col. Pipkin for *his* opinion—and also ensign Martin—that Gen. Washington of Tennessee had written to Gov. Blount for *his* opinion—that captain Earp, Col. Chatham and Gen. Johnston were all of the same opinion with those who were shot, &c.

4 Gen. Jackson’s first letter on the subject, dated Sept. 4, 1826, and published originally at Baltimore, contains these words: ‘The case you allude to, [viz. the death of the Tennessee militia men,] might as well be ascribed to the President of the United States, as commander-in-chief of the land and naval forces, as to me.’

‘The ringleaders, Harris at their head, were after some time apprehended and brought to Mobile in irons, after I had left there for New Orleans, and had charged Gen. Winchester with the command of that section of the country.’

‘They were tried by a court-martial and condemned to die; five were shot, and the balance pardoned.

There is not one word in this letter which betrays the fact that *he* ordered the court-martial, and *he* ordered the men to be shot to death;—but the blame is endeavoured to be shifted upon Gen. Winchester.

The severity of Gen. Jackson towards the Tennessee militia, however unjustifiable under the circumstances of the case, was not of such terrible consequence as that which he exercised towards the Louisiana volunteers, and Kentucky militia.

We have seen that a dispute had occurred between him and some of the New Orleans volunteers, as to their right to limit their service to the time during which the enemy should be actually present. (1)

The Kentuckians had also been much discontented with the tardy and imperfect justice done to their 'calumniated' (2) companions.

These men were punished with excessive rigour. When the army returned to New Orleans the Kentucky militia and a Louisiana regiment were still kept in the mud, (3) on the plantations, while the regulars, even those freshly arrived from Mobile were quartered in the city. (4)

For a few weeks the uncertainty of the enemy's movements furnished an apparent reason for keeping up a station so destructive to the lives of the militia, although no such encampment had been thought necessary, up to the period of the actual landing of the British, and when the enemy had been just where he now was.

This indulgence of the regulars in the luxuries of the town, while the town militia and Kentuckians were obliged to keep the field, had a strange appearance.

But soon the motive became obvious. They were kept there in a condition of extreme suffering, long after all idea of further hostilities had passed away. Fevers and dysenteries, the natural result of such exposure, among men wholly unused to a soldier's fare,—made dreadful havoc among them; before they were allowed to come into the town and share the accommodations of the regular soldiers, not less than *five hundred* were thus unnecessarily, and, it must be added, *unfeelingly* sacrificed. (5)

The sickly condition of these men did not move the General's compassion even after the news of peace.

The British had departed on the 19th of January. The news of peace was brought by Col. Livingston from the British fleet on the 10th of February. (6)

1 Eaton, p. 300

2 Gen. Adair's language in his letter to Gov. Shelby, dated Jan. 13, [Nat. Intelligencer of February 14, 1815.]

It was not till the 19th of February the general order was published acquitting the Kentuckians of cowardice.

3 "Immediately after the departure of the English troops from the shores of the Mississippi, a body of the Kentucky militia was encamped on the plantation of Dupre, and the remainder on the right bank of the river." [Latour, 224.] On the 20th of January, the 2d Regiment of Militia was ordered to encamp on Villere's plantation. [Ibid. 197.]

4 "On the 21st of January, General Jackson entered New Orleans, at the head of a long suffering and victorious army. [Eaton, p. 395.]

"The Kentucky and Louisiana militia,—occupied their posts [on the plantation] until the disbanding of the army. [March 13th,] ib.

5 "The hardships they were obliged to endure, added to the unhealthiness of a *constantly wet soil*, caused them to contract pernicious fevers and dysenteries, which soon became epidemic. The effect of these disorders was speedily seen and *terribly felt*; in the space of one month 500 men perished in this way." [Latour, p. 225.]

The nature of their accommodations after the return of the regulars to the city is not precisely described by the historians, except that the encampment was upon a "constantly wet soil"—But the following is Major Latour's account of the sufferings of the Kentuckians in common with the Tennesseans previously to the 20th of January. "The ground was so low and difficult to be drained that the troops were literally encamped in the water, walking knee deep in mud; and the several tents were pitched on small *isles* or hillocks surrounded with water or mud." "Those who have not seen the ground cannot form an idea of the deplorable condition of the troops," &c. "Those brave men supported all their hardships with resignation, and even with alacrity," &c. p. 149.

6 Eaton 400, and Latour 216. But perhaps it should be the 19th, see Latour's Appendix 84. That was the date of the order announcing it.

A general order was issued, dated "February 19th," by General Jackson, announcing that the "flag vessel has returned, and brings intelligence of peace," &c. (1)

The Louisiana militia on the wet plantation being very sickly, and being in Mr. Eaton's language "owners of the soil, men who had families anxiously concerned for their safety, and whose happiness depended on their return" 2) became very impatient; and the newspapers began to criticise the unnecessary waste of valuable lives.

Between the 16th and the 24th of February, General Jackson imposed a restriction on the newspapers, which entirely destroyed the freedom of the press; and established a *censorship* equal to that which despotism has restored in France—but which in no other instance was ever attempted in America.

A general order—which like the *ukase* of the Russian autocrat now was the substitute for law, directed that no publication relating to, or affecting the army, was to be published in any newspaper without first obtaining permission.

How far this arbitrary and oppressive edict which was certainly not necessary as a measure of defence against the enemy, was provoked, by the expression of public opinion through its natural organs, the newspapers, can now be only conjectured. (3)

The legislature had continued to meet, notwithstanding their forcible expulsion from the hall by armed men, and the establishment of military government in the city. Indeed the performance of their functions was necessary, for the purpose of voting assistance to the sick, wounded, and destitute, among the militia.

On the 2d of February, they passed a vote of thanks to the brave citizen soldiers, the subaltern officers, and the Generals; omitting all notice of General Jackson.

At such a time the legislative body would not have cast so strong an implied censure on the conduct of the General, unless they were backed and supported by public opinion. It seems to have been for the purpose of smothering the expression of *such opinions* that the muzzle was put upon the press.

It is remarkable that although the vote of thanks passed on the 2d of February, [4] it was not communicated to the officers who were complimented in it, till the 25th of that month.[5]

1 Latour's Appendix 90. And Nat. Intelligencer of March 25, 1815.

2 Eaton p. 405.

3 General Jackson had before this written to the secretary of war, "there is little doubt that the last exertions of the enemy have been made in this quarter for the present season." National Intelligencer of February 13th, 1815. Latour's appendix, 57.

He had announced the news of peace, and he had written to Admiral Cochrane to "reciprocate his congratulations on that event." Latour's appendix, 86.

He had published an address to the mayor of the city expressing his 'exalted sense' of the 'unanimity' and 'patriotic zeal,' 'love of order' and 'attachment to the principles of the constitution'—'courage,' 'fortitude,' 'humanity,' 'liberality,' &c. of the people of New Orleans, his 'admiration,' 'thanks,' &c. &c. Latour, appendix 84.

Yet he would not restore the laws or constitution to which he praised them for being attached.

A people deserving these praises surely might be trusted with liberty of speech.

4 Latour, 205.

5 Latour's appendix, 25, &c. Governor Claiborne's letters to Generals Thomas, Carroll, Adair, Coffee, and Colonel Hinds, all of that date.

No one of these officers in reply mentioned the omission to thank General Jackson, except Coffee.

The legislature did not act without provocation in this mark of disrespect. The insult which they had received, in being violently expelled from their hall; and the insinuations made against the patriotism of their citizens, in the General's orders declaring martial law—insinuations which had been amply refuted by the good conduct of the whole population, and yet had not been withdrawn, seemed to them to require apolo-

Whether the power or the influence of Gen. Jackson occasioned its suppression, for so long a period as three weeks, is not known.

Among the Frenchmen that had volunteered and had fought bravely, and conducted themselves in all respects so well, there were many who were still detained in the mud on the open fields. They became utterly disgusted with the oppression so needlessly exercised, after a treaty of peace had been known to be concluded. To save their lives from the "dysenteries and fevers" which were sweeping off such numbers in the camp where they had been cruelly confined, while the more hardy regulars did not share the exposure, they claimed their rights as subjects of France.

A new *UKASE* or *EDICT*, exceeding in arbitrariness all that had gone before, banished the French citizens to a distance of one hundred and twenty miles from New Orleans.(1)

It is difficult to find an apology for this proceeding. The class of people on whom this heavy sentence fell, comprised a large portion of the gallant combatants in the battles of the 23d December and 3th of January. The French artillery corps had been eminently useful. The gallantry with which they had behaved, had been emphatically declared by the General himself.(2)

If there was still danger of a renewed invasion—two weeks after the news of peace—New Orleans was by this order deprived of an efficient portion of its defenders—If no further occupation for their services was apprehended, the prolonged detention of their compatriots in the pestilential fields was without excuse, and a just cause of murmur.

Mr. Louallier, a member of the legislature—distinguished for his patriotism, [3] wrote, in one of the public papers, some remarks on this order, and on the unnecessary continuance of military despotism, while all other parts of the United States were in the uninterrupted enjoyment of laws and republican institutions.

General Jackson immediately sent Mr. Louallier to prison under a military arrest.[4]

This was on the 4th day of March.

gy and explanation. They were displeased with the ill-timed introduction of the press-gang system, when all were so willing to serve without being pressed. They thought such a severity calculated only to create the disaffection, which they did not believe existed at the time of General Jackson's asserting it. They disapproved of the injustice of keeping their citizens of the drafted militia—the householders of New Orleans—still in a sickly camp, when the more hardy regulars were allowed to lounge idly in the streets and taverns of New Orleans. They disliked also the *crowning*, and other excessive honours paid to, and accepted by General Jackson to the exclusion of all others, as if he alone deserved praise, and the gallant Coffee, Adair, Carroll, &c. merited no compliment. They wished to show especially their sense of the merits of those officers and their troops, to whom there had been yet no honours or acknowledgments awarded.

1 Nat. Intelligencer of April 18, 1815. Eaton, 406. [an imperfect relation of this transaction.]

2 In an address to the Mayor of New Orleans, Jan. 27, 1814. Latour, Appendix, 73. Also in the official despatches and general orders.

3 Latour 141. "Louallier a member of the house of representatives obtained from the legislature the sum of \$6000 which was put at the disposition of a committee for the relief of the Kentucky troops who arrived in a 'deplorable condition.'" &c.

"Though the gratitude of their fellow citizens &c. be to Mr. Louallier and to Messrs Duheys and Soubie, who co-operated with him in his honourable exertions a sufficient reward, yet I must be allowed to pay those gentlemen the tribute of applause so justly due to them."

Major Latour adds: "with pleasure I take this opportunity to do justice to the patriotic and highly praiseworthy conduct of the legislature not only on this occasion, (the extension of the pay of the wounded and other charitable and patriotic provisions) 'but during the whole session.'" &c.

It is to be observed that Major Latour was the 'principal engineer' and his book is dedicated to Gen. Jackson as a 'tribute to his merits, and with an assurance of 'respect and devotion.'

4 Eaton. 410

Mr. Louallier applied for the benefit of that remedy, the writ of *habeas corpus*, which the legislature had refused to suspend. Judge Hall, to whom the application was made, was officially bound to grant it. The writ commanded the sheriff, in the name of the commonwealth of Louisiana, to call on General Jackson for the reasons of Mr. Louallier's confinement.

On the 5th of March, *in the evening*, General Jackson sent judge Hall to the same prison.

Either the same day or early the next day, an express arrived at New Orleans with intelligence of the ratification of the treaty of peace.(1)

Every person supposed that all arbitrary proceedings would now cease—the press be unmuzzled, the laws restored, and the suffering Kentuckians relieved immediately from their exposure in the sickly encampment.

But their hopes were disappointed. Gen. Jackson still kept Judge Hall in confinement as well as Mr. Louallier.

The Judge applied to Judge Lewis, for a *Habeas Corpus*. The General ordered Judge Lewis and also the attorney, Mr. Dick, who acted for Hall, to be arrested. (2)

On the 8th of March, a general order was issued reciting an application from Major Planche's battalion and Major Lacoste and Daquin for a suspension of the order of Feb. 23th banishing the Frenchmen; and announcing that this petition had been granted as a matter of *favour merely* to the petitioners, and that from the suspension Major Tousard was excepted. (3)

The same day the "*levy en masse*" of the Louisiana militia was discharged by a general order. (4)

On the *eleventh* of March Judge Hall was banished; and Mr. Louallier was still detained for *trial*. (5)

Mr. Louallier, whose patriotism had been proved, was brought before a *court martial subsequently* to all these occurrences—and there "*tried*" on charges involving life and death, by the general's command.

The charges were

1. Mutiny,
2. Exciting to Mutiny,
3. General Misconduct,
4. Being a Spy,
5. Disobedience to orders.
6. Writing a wilful and corrupt libel,
7. Unsoldierly conduct.

The specification was the same on each charge, namely the publication in the newspaper on the 3d of March. (6)

1 Latour's appendix 94. Gen. Jackson's letter to Gen. Lambert announcing the news, dated March 6, 1815.

Also General Carroll's letter of the *same date* to Governor Blount "an express has arrived with intelligence of the ratification of peace." National Intelligencer, May 6, 1815.

2 Mr. Louallier's statement.

3 National Intelligencer, April 18, 1815. Major Tousard was then French consul. He had served in our army in the revolutionary war and lost an arm.

4 National Intelligencer of same date as above. Latour, appendix 99.

5 "On the 11th of the month sent him [the Judge] from the city," &c. Eaton 411.

6 The publication which General Jackson sought to punish by the death of Mr. Louallier, commenced thus: "Mr. Editor, to remain silent on this late general order, directing all Frenchmen who now reside in New Orleans to leave it within three days, and to keep at a distance of 120 miles of it, would be an act of cowardice which ought not to be expected from a citizen of a free country; and when every one laments such an abuse of authority, the press ought to denounce it to the public."

It then proceeds to argue from the treaty of cession, that Frenchmen are entitled to all the privileges of Americans—and that the Frenchmen had behaved gallantly in the late battle—and that they ask no other reward than to be permitted peaceably to enjoy the rights secured by the treaty and the laws of the United States, and that if the French were to choose to abjure their native country, they could not *at once* be made American citizens. "It is therefore better to remain a faithful Frenchman, than to be scar-

Mr. Louallier was certainly not amenable to such a tribunal, (1) but the court martial acquitted him of all the charges; General Jackson disapproved the acquittal, and *still kept him in confinement* until the 13th of March. (2)

Mr. Eaton says that Mr. Louallier was prosecuted under 2nd section of the rules and articles of war and that the section was published by order, for the information of all concerned. It is to be hoped this is a mistake, for certainly there could not have been a grosser perversion of military power than an attempt to take the life of a citizen residing at home and a member of the legislature attending its sittings, for *any* publication—by pretext of that *section*, which provides that all persons, *not* citizens of or owing allegiance to the U. S., who shall be found *lurking as spies* in or about the fortifications or encampments of the armies of the United States, shall suffer death, &c. (Laws of the U. S. Vol. 4, p. 23.)

It is more probable that the true motive for the harsh and angry proceedings against Mr. Louallier and the French volunteers, is to be found in the avowal made by the General in his reasons for disapproving the acquittal of M. Louallier,—namely that his PERSONAL DIGNITY WAS IMPLICATED. (3)

On the 13th of March, having received orders from the war department to discharge the militia, he revoked the order relating to martial law, (4) and the next day the militia were ordered to be marched home to be discharged. (5)

The Kentucky troops were now, but not until now, relieved from their encampment in the mud, where they had been continued a week after the express arrived with intelligence of the ratification of the treaty of peace—three days after the levy *en masse* of the Louisiana militia were discharged—about one month after the news of the signing of the treaty and nearly two months after the General had declared his confident opinion that the “last exertion of the enemy” had been made.

Each day of their detention had increased their loss by disease—and no reason has ever been given for the greater care taken for the comfort of the regulars, in comparison with these meritorious citizen soldiers. (6)

ed *even* by the *martial law*; a law useless when the presence of the foe and honour calls us to arms, but which becomes degrading when their shameful flight suffers us to enjoy a glorious rest, which fear and terror ought not to disturb.

The communication then closes with these sentences, which probably gave the offence, viz: “It is high time the laws should resume their empire; that the citizens of this State should return to the full enjoyment of their rights; in acknowledging we are indebted to General Jackson for the preservation of the city and the defeat of the British, we do not feel much inclined through gratitude to sacrifice any of our privileges, and less than any other that of expressing our opinion about the acts of his administration. That it is time the citizens accused of any crime should be rendered to their natural judges, and cease to be brought before special or military tribunals, a kind of institution held in abhorrence even in absolute governments; and that after having done enough for glory the moment of moderation has arrived; and finally, that the acts of authority which the invasion of our country and our safety may have rendered necessary, are, since the evacuation of it by the enemy, no longer compatible with our dignity, and our oath of making the constitution respected.”

1 As a member of the Legislature, he was exempt from military service. General Jackson described him as a “citizen not enrolled in any corps.”—[order issued March, 1815, disapproving of the acquittal]—and the Constitution of the U. S. fifth amendment, provides that “no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval service, or in the militia when in actual service.”

2 Mr. Louallier’s statement, and Gen. Jackson’s general order disapproving of the sentence of acquittal, with his reasons at length, in which all *civil* privileges are declared to be suspended by a state of war. Niles’ Register vol. 15, 395.

3 Niles’ Register, vol. 15, p. 395 [4] Latour 219. [5] Ib. 220, National Intelligencer, of April 19, 1815.

6 These men seem to have fallen a sacrifice to the General’s very high toned notions of military power and subordination. We have seen that he considered militia bound to remain in service beyond their period of duty as prescribed by law; and that he refused to accept the services of volunteers with any limitation—but required, and finally *compelled* them, by pressing them into service—to be placed precisely on the

Before his departure from New Orleans—which was on the 6th of April, 1815, he had the satisfaction to receive intelligence of resolutions adopted in congress, thanking him and the army under his command for their services, and voting him a gold medal as a testimony of approbation.

Immediately after the conclusion of the war a reduction of the army was effected, two Major Generals only were retained. It was a matter of much difficulty to make the selection, and the duty devolved chiefly on Mr. Dallas, then acting secretary at war. General Jackson made a visit to the city of Washington, and the arrangement was made by which he was retained as second in rank to General Brown.[1]

He returned to his plantation, where he remained enjoying his full pay, improving his estate, and amusing himself with the pleasures of the race course, for which he still kept his fondness, and in which he was generally successful, as the owner of the best running horses.

In the latter part of 1816, he was authorised to superintend the cession of certain Indian lands.(2) At this time the department of war was vacant, and General Jackson felt a lively interest in the appointment to be made. He volunteered his advice to the new president,[3] and strongly recommended the appointment of Colonel Drayton of South Carolina, and remonstrated against the reported intention of the president to appoint Governor Shelby of Kentucky, whose great military services, patriotism, integrity, and high character, he argued did not entitle him to an office, for the complicated duties of which, his *acquirements* did not qualify him.

footing of regulars—(Eaton, p. 300.) In an address to the Kentuckians at New Orleans, he told them “one of the most dangerous faults in a soldier, is a disposition to criticise and blame the orders and characters of his superiors.” Latour, Appendix, p. 67.

Against these principles—rather inapplicable to militia composed of freemen—and against this desire to reduce them to a mere passive machine, the Tennessee militia at Mobile had offended, even more than the Kentuckians and Louisianians at New Orleans. The punishment was in each case excessive. Five hundred of the latter perished on the banks of the Mississippi—and six of the former had been shot at Mobile for the purpose of establishing the arbitrary principles which he avowed:

1 Act of March 3, 1815, permitted the President to retain two Major Generals and four Brigadiers. General Brown, a northern man, was under this act put at the head of the army, and General Jackson, a southern man, next. Then General Ripley and General Macomb of the north, and General Scott and General Gaines of the south, were the four Brigadiers.

2 On this occasion Gov. Shelby of Kentucky was associated with him in the commission. They had very serious disputes arising out of a belief on the part of Shelby, that General Jackson was about to obtain a cession of lands in pre-emption to himself, as had been done in 1814 at the treaty with the Creeks. The circumstance is freely told by the friends of Gov. Shelby:

3 His letter to the President. Niles, vol. 26, 163.

In the course of this correspondence, which has often been cited as very creditable to Gen. Jackson, he advanced some opinions that were peculiar and characteristic.

He told the President, that he had considered Mr. Madison “one of the best of men, and a great civilian,” but had not been in favor of making him President, because “he could not look on blood and carnage with composure.”(Niles, vol. 26, p. 167.) And in the same correspondence, he declared, that if he had been in the neighbourhood of the Hartford Convention, he would have hanged the principal members, under the “2d section of rules and articles of war.” This does not seem to have been an oversight. His opinions as avowed in his defence before Judge Hall at New Orleans [Eaton, 451.] and in his reasons for disapproving of Louallier’s acquittal, [Niles 15, 395.] go the whole length of considering the entire country a camp, where none but military rule, military power, military distinction, and military tribunals can be allowed—and this not merely in emergencies but at all times from a declaration of war till the ratification of peace,

This doctrine and the General’s application of the 2d section, would make every man a spy from Maine to Georgia whom the general officers might choose to call so—and there would be but one tenure of life, property and reputation—namely the will of a military master.

He received a friendly answer from Mr. Monroe, and continued to write on this interesting subject, until the appointment of Mr. Calhoun. At about this time he issued an order commanding all the officers in the southern half of the United States, to yield *no* obedience to any communication from the president as commander in chief, through the ordinary channel of the war department, unless from, or through *himself*.

It is difficult to reconcile this proceeding, either with the respect just before expressed for the President, or those principles of strict subordination, which he had so often and so recently asserted. [1]

The year 1818 was marked by some murders, committed on the borders of Georgia by the Seminole Indians, a tribe of little strength. (2) General Jackson was ordered to make a requisition on the Governor of Tennessee, for a militia force, in aid of the Georgia militia, already called out—and to take the necessary steps for restoring order.

He preferred raising volunteers, to whom *he* could appoint officers; and collected a force of 2500 men, without authority, whom he organized by the appointment of officers, and then led into Florida, to capture the Spanish posts, from which the Indians, as it was said, had obtained supplies.

No resistance was made, and the war was soon ended. It was disgraced by an act of cruelty towards some of the Indians, committed by a captain of the Georgia militia and also by certain severities on the part of Gen. Jackson.

Two Englishmen were taken prisoners and put to death. They were said to have instigated, as well as aided the Indians, but their execution was justified by General Jackson, simply on the ground of their being *with* the Indians in *open war*. (3)

The execution of prisoners, had never before been permitted by American officers, except in the instance of the massacre the day after the battle at the Horse Shoe, under Gen. Jackson's orders, in 1814.

A few Indians also, who were decoyed into his power by means of false colours—an expedient unworthy of an officer of high rank and character—were hanged without trial, and in cold blood. The Englishmen perhaps deserved their

1 "Head Quarters, Division of the South, Nashville, April 22, 1817. "The commanding General, considers it due to the principles of subordination, which ought and must exist in an army, to prohibit the obedience of any order emanating from the department of war, to officers of this division, who have reported and assigned to duty, *unless coming through him*." Niles's Register, vol. 12, p. 320.

The reasons for this order, as set forth in it, are the recent removal of an officer from the division, without the General's knowledge, and the publication through the Department of War, of some topographical surveys.

General Scott having expressed an opinion against the regularity of this order, Gen. Jackson wrote him several angry letters on the subject, and offered to fight a duel with him. But General Scott declined such a mode of deciding a mere difference of opinion.

The correspondence was afterwards carefully exhibited by General Jackson to his acquaintances, and at length published in Niles's Register, vol. 16, p. 123, &c. never seemed to be convinced that the order was mutinous or irregular.

2 They did not exceed 1000: "To oppose them, there were 1800 Georgians and 1000 friendly Indians called out, besides the 2500 men which General Jackson mustered. (Report of the committee of Senate. The *effectives* when in Florida were 3300, according to the testimony of the Adjutant Butler. [Documents, 2d Session 15 Congress.])

3 His order states, that "it is an established principle of the law of nations, that any individual of a nation, making war against the citizens of another nation, they being at peace, forfeits his allegiance and becomes an *outlaw* and a *pirate*." (Niles's Register, vol. 15, p. 395.)

This principle would condemn as *outlaws* and *pirates*, not only Gen. Lafayette and other foreign officers of the revolution—and a multitude of our citizens, who have aided the South Americans against Spain—but also, those gallant Frenchmen who served the artillery with so much effect, on the 8th January, 1815, and received the praises of the Gen. for their excellent conduct.

The same rule would also brand Commodore Porter, as a *pirate*

fate, but the poor confiding Indians would have been spared, if they had fallen into the power of any other American officer.[1]

One of the Indians thus deluded and put to death had educated his family as christians, and taught them the language and manners of the whites. His daughter had saved the life a Georgia officer when a prisoner among the Seminoles, and on these facts an appeal to the General's mercy was founded,—but without effect. The crime of being *Indians* was unpardonable,—and to compass their death he resorted to the meanness of *false colours*, and the violence of illegal homicide.

In the course of this disturbance, which could scarcely be called a war, as no opposition was made—an angry correspondence took place between Gen. Jackson and Gov. Rabun of Georgia. A portion of the Georgia militia had been ordered out to protect the frontiers of that state, while Gen. Jackson was penetrating Florida, and leaving, as Gov. Rabun complained, the threatened region of country defenceless. The General sent home the Georgia militia, and kept the force which he had raised and officered himself.

The irregularity of thus raising an army without law, and for the purpose of distant operations was sustained by the claim on his part as Major General of the U. S. army to have the sole and exclusive control of the whole militia in the southern division of the Union. After acting on this principle in calling out the Tennessee volunteers without the intervention of the executive of that state, he proclaimed it in a letter to the Governor of Georgia—in which he told him, “you sir, as Governor of a State, within my division, have no right to give a military order, while I am in the field. [2]

It must be allowed, that very dangerous doctrine is contained in those words. The President allotted the superintendence of the military affairs of the nation, in equal divisions to two Major Generals; General Jackson being stationed at home, in the south. If he construed his powers correctly, correlative authority must be allowed to General Brown in the north, and the state governments, as to their power to apply their physical force to their own protection, within their own borders, must be considered as totally abrogated.

Gov. Rabun's just and indignant reply was: “Wretched and contemptible indeed must be our situation, if this be the fact. When the liberties of Georgia shall have been prostrated at the feet of a military despotism, then, and not till then, will this imperious doctrine be tamely submitted to.”

The events of this expedition into Florida, became the subject of a warm discussion in congress. In each house, a report was made by a committee, censuring the General's proceedings.

The Spanish envoy complained of the violation of Spanish territory, and it was expected that the British government would take offence at the military execution of its subjects. The condemnation of the General, would have seemed a triumph to the foreign powers; the feelings of congress therefore, inclined against passing censure; and the session went by without any decisive vote on the subject.

In the house of representatives, the committee founded their censure on the *unnecessary* putting to death of the prisoners, *after* the war was closed—the irregularity of their trial—the unfairness of refusing them the benefit of the evi-

1 General Jackson's letter from “camp before St. Marks, dated 9th April, 1818,” published in Niles's Register, June 13, 1818. “Capt McEver having hoisted English colours on board his boat; Francis the Prophet, and Hoemotchemucho, and two others, were *decoyed* on board. These have been *hung* to-day—to-morrow I march to Suwanney, &c.

2 Governor Rabun's letter to General Jackson, Niles's Register, vol. 15, p. 255. General Jackson's motive for the visit to Florida, was said to rest on some land speculations. But no evidence of it was ever shown, except that some friends of his own, and relatives by marriage, had in the preceding fall made extensive purchases of land, there, viz. Messrs James Jackson sen. James Jackson jr. J. H. Eaton, J. C. McDowal, J. M'Crea, John Jackson, T. Childress, and J. Donnelson. The General was not proved to be interested. (Document, No. 100, 2d Session 15th, congress.)

May 7, 1818. Niles Register, vol. 15, p. 254.

dence they desired—the erroneous principles of national law advanced—and the execution of one *against* the opinion and sentence of the court martial. [Niles' Register, vol. 15, p. 395.]

The impropriety of invading Florida, being the subject of a correspondence between the Spanish envoy and our secretary of state, was not taken into view by the Committee.

In the senate, the committee reported very much in detail, and in very strong terms of censure.

"It is with regret," the committee said, they were "compelled to declare, that General Jackson has disregarded the positive orders of the department of war, the constitution, and the laws." "The committee find the melancholy fact before them, that at this early stage of the republic, military officers have, without the shadow of authority, raised an army of at least 2500 men, and mustered them into the service of the United States. Two hundred and thirty officers have been appointed, and their rank established, from an Indian brigadier general, to the lowest subaltern of a company. To whom were these officers accountable for their conduct? Not to the president of the United States, for it was not considered necessary even to furnish him with a list of their names; and not until the pay was demanded, were the persons known to the department of war." Many distinguished members of both houses, condemned the conduct of General Jackson, as of most dangerous example. Among these Mr. Lowndes of South Carolina, and Mr. Clay of Kentucky, made the most eloquent arguments.

General Jackson came to Washington, in January, 1819, (1) and while his conduct was under discussion in congress, he extended his journey to Baltimore, Philadelphia, and New York, at each of which places he received public entertainments, and other compliments; [2] when he returned to Washington, and published a defence of his invasion of Florida.

He was very angry and perhaps excessively enraged, at the censures uttered against him. At a dinner party in Baltimore where he first saw the report to the senate, he openly threatened to do violence to the person of Mr. Laycock the chairman of the committee. (3)

There was an occurrence in this Seminole war, or in the military occupation of Florida, which forcibly exemplified the danger of permitting men to dispense with the laws, at their own discretion.

Colonel King, who commanded at Pensacola in the summer and autumn of

1 Niles' Register, January 30th, 1819. [2] *Ib.* February, 1819.

3 Messrs. John Sullivan, Hugh Boyle, Andrew Hall, James L. Harkins, John F. Poor, &c. of Baltimore, heard these menaces spoken by the General.

Mr. Lacoek, the chairman of the committee, made the following statement in the National Intelligencer, in March, 1819, over his name; it was also published with Mr. Lacoek's signature, in Niles' Register, April 3d, 1819—and not contradicted by the General or his friends, viz. "The personal invectives indulged in, in the *Strictures*, [a publication ascribed to General Jackson,] correspond entirely with his previous observations in the public taverns and ball rooms of Washington. For it is a fact notorious, and cannot be denied, that on these occasions he was vociferous in his imprecations, and violent in his threats of personal vengeance, even to the cutting off the ears of some of the members of the select committee,—and this, while the subject was before the senate."

It is certain also that the lamented *Decatur* mentioned to several gentlemen, among whom may be named his estimable and intimate friend Daniel Smith, Esq. of Philadelphia, and the honourable Joseph Hopkinson, formerly member of congress—that he met General Jackson going to the senate chamber for the purpose, as he *avowed*, of inflicting personal chastisement on one of the senators *in that place*; that he expostulated and remonstrated perseveringly and earnestly with the General and finally induced him to abandon his rash intention.

General Jackson has recently written for the public papers, a note to Felix Grundy, Esq. which is taken for a denial of this occurrence.

But it really applies only to unessential particulars as to which recollection may err. Whatever mistakes may have been made as to *place* and *language*, unquestionably the substance of *Decatur's* statement is such as just related. And the substance remains uncontradicted by General Jackson, who by an *evasion* more ingenious than magnanimous has *seemed* to contradict what in reality he *cannot* gainsay.

1818, thought proper to set aside the act of congress prohibiting the use of corporal punishments,(1) and to restore their use in his camp. He also considered courts martial and trials for offences quite useless, and ordered his men to *shoot deserters wherever found*.(2) This extraordinary innovation, by which the lives of the soldiers were to be taken without proof of crime, he *reported immediately to General Jackson*. (3)

It will be observed that this rule if introduced in season, would have saved the trouble of trying the 180 Tennessee militia men at Mobile in 1814-5, who might all have been shot as fast as they were overtaken, or met returning. It would also have put an end to the difficulties with the volunteers in December, 1813, when General Jackson denounced the whole 1200 as *deserters*.

Only one man happened to suffer death under this truly 'Turkish regulation.(4) Colonel King was sometime afterwards brought before a court martial [5] on charges of other improprieties, and this new fashioned rule was also adverted to.

The Colonel in his defence, boldly avowed and justified the proceeding, as part of a system sanctioned by the authority of General Jackson. "The war cry is raised," he said, "against military despotism and instantly the *enemies* of General Jackson, the government and the enemy join in, and the *yell* is resounded from Boston to New Orleans." "With calmness and contempt I listened to the clamours, alike indifferent to its origin, its course and its result."

In this insolent avowal of contempt for public opinion, coupled with regrets that Mr. Calhoun, the secretary of war, was *not a soldier*, and *therefore* could not know how to appreciate the privileges of the army—in his making common cause with General Jackson and pronouncing all to be *his enemies* who disapproved of these lawless proceedings, we see plainly marked out a specimen of the consequences to be expected from an unwise lenity towards the usurpations and tyranny of the military power.

Colonel King declared on his trial that he had reported to General Jackson, the order to shoot without trial, all such as his sergeants and corporals might choose to consider deserters; and that the General had "approved the measure."

In proof of this he produced a letter from the General dated at Nashville, April 13th, 1819, in which he said "your conduct in the evacuation of Pensacola, as well as *on every other occasion* during your *unpleasant* command in the Spanish province, *meets my entire approbation*."(6)

In the Spring of 1821, Congress made a further reduction of the army, leaving only one Major General in service. (7) General Brown being selected as the

1 Act 18th May, 1812, sec. 7.

2 Documents, 1st Session 16th congress, Doc. 119, p. 57. He also ordered ears to be cut off, heads to be shaved, &c.

3 "Without delay," *ib.* p. 52.

4 One of the witnesses at the court martial was Cornelius Jackson, a private of the 4th regiment, who testified that he was one of the party sent in pursuit of Niel Cameron a private of the same regiment, and was with the sergeant, when he came upon Cameron *asleep*, they waked him up, he said he was going back, but was told he must be put to death. He begged to be taken back, as he was a prisoner and without arms, and ought to be tried. The sergeant told him there was no use in his being tried, and told the witness to fire at him. The witness refused. The sergeant then took the gun, Cameron being unarmed, and snapped it twice, Cameron still begged for his life—even for a short respite to repent of his sins—but the sergeant "blowed him through" and left him dead, but unburied where they had found him. The sergeant and witness returned to camp, and the commanding officer told them they had done "exactly right."

5 In November, 1819. Documents, &c.

6 *Ib.* p. 97. &c.

7 Act March 2, 1821. Section 1. From and after the 1st of June next, the military peace establishment of the United States, shall be composed of 4 regiments of artillery, and 7 regiments of infantry, &c. Section 5. There shall be *one* Major General, with two aids de-camp, two brigadier generals, &c.

chief of the army, Gen. Jackson was thus deprived of the rank, as well as splendid emoluments of his commission. [1]

The President, however, made him ample amends, by appointing him commissioner to receive the cession of Florida, and temporary Governor of the newly acquired territory.

He took possession of his new station about the first of June 1821, and held it a few months, during which, he had again the pleasure of exercising absolute power, and enjoyed an allowance so ample as to support the dignity of Governor and *intendant*, in a style of great magnificence. (2)

The possession of executive power led him into new violence; and the imprisonment of the district judge and certain indignities offered to the person of the Spanish commissioner, marked his short rule as a reign of terror. (3)

He remained only about five months in Florida, and in October or November, 1821, returned to Nashville, [4] and shortly afterwards resigned his commission. [5]

In July, 1822, the legislature of Tennessee first placed his name before the public as a candidate for the presidency, [6] and the nomination was repeated by a meeting in Dauphin county Pennsylvania, in January, 1823. (7)

He was not, however, yet considered seriously as a candidate, and in February, 1823, president Monroe appointed him minister plenipotentiary to Mexico. [8]

* 1 The following is his account, as it stands on the books of the second and third auditor of the Treasury, viz,

From January 1, 1820 to December 31, 1820.

Pay	\$2,400 00	Pay as Commissioner from	
Subsistence	1,098 00	the 14th Sept. to the 21st	
Extra rations	1,098 00	Oct. 37 days at 8 dollars	
Forage	672 00	per day	296 00
	Servants,	Expenses for General Jack-	
Pay	240 00	son and suite, on their	
Subsistence	292 00	return	351 50
Clothing	140 16	Pay as Commissioner on	
Rent of Quarters	400 00	return, from the 21st of	
Fuel	224 00	October to the 10th No-	
Transport'n of baggage	166 40	vember, 20 days at 8	
Holding treaty with Choc-		dollars per day	160 00
taw Indians, travelling			
expences for self and		Total	\$8,109 67
suite to Dokes' stand	425 83		
Bill at Dokes'	156 78		

From these accounts it will be seen that he received his full pay, subsistence, extra rations and forage, hire of servants, feeding and clothing them, as if in service; rent of his own house, 400 dollars per annum, and for burning his own wood 224 dollars.

He continued to hold his commission to the latest day possible.

On the first of June it terminated, and in May he published his farewell address to the army.

He had been without intermission in the enjoyment of the rank, pay and emolument of a Major General since May 1814—yet he most unaccountably wrote to Mr. Swartout in February 1825, that, “the war over and peace restored I retired to my farm to private life, when but for the call I received to the Senate of the Union, I should have contentedly remained,” &c. “Nor have I ever been *willing* to hold any post longer than I could be useful to my country, not myself,” &c. Niles' Register, March 12, 1825.

It would be naturally inferred from these expressions, that he had resigned, which was far from the case.

2 His allowance during this period was \$ 6907, 79. In his account there was one item for wines, liquors &c. for his family of \$1047,39. See the accounts in the public documents.

3 Mr. Walsh's biographical sketch, treats these proceedings as justifiable. They were at least harsh. If the judge erred, in supposing himself obliged to take cognizance of Calava's imprisonment, the mistake could scarcely have deserved so severe a punishment. Courts often mistake the extent of their jurisdiction, but the judges are not, therefore, sent to jail.

4 Niles' Register, v. 21, p. 128, and 214. (5) Ib. 256, and 287. [6] Niles' Register, v. 22, p. 402. [7] Niles, 25, p. 50. (8) National Int. February 15th, 1823.

The acceptance of this appointment would manifestly have injured his prospect of further support as a candidate for the presidency, and he prudently declined it.

In the following June, a popular meeting in Tennessee reiterated his nomination for the presidency, and recommended him expressly on the ground of his MILITARY SKILL, which those citizens declared was peculiarly needed in the chief magistrate.[1]

He was elected by the legislature to the senate of the United States, and took his seat in December, 1823.

His situation there was embarrassing. He had obtained his seat as a friend to the *tariff* of additional duties for the protection of American manufactures, and in the place of Colonel Williams who was known to be opposed to that measure [2]

The *tariff* as passed by the house of representatives after a close struggle, was the subject of earnest discussion in the senate, and generally, throughout the nation.

General Jackson had by this time received several other nominations for the presidency, and was the favourite candidate in some of the southern states, and also in Pennsylvania. To avoid offending either Pennsylvania or the Carolinas, seemed impossible. He took a middle course with better fortune than commonly attends such a policy; he voted *for* the tariff, but also voted to render it *less effectual* than its friends intended.[3]

He obtained the votes of eight states, and part of the votes of several others, and was returned to the house of representatives, as one of the three candidates not having a majority—one of whom was to be chosen by that body.

He remained in the senate until the election was over; and in the course of the winter of 1824-5, an occurrence took place, which was not known of until he brought it into view, long after, by a conversation, that must be allowed to have been very indiscreet.

It was expected, that the members of congress from such states as had shown a decided preference for one of the three, then present, candidates, would vote in conformity with such preference; which would leave to the members from the states that had voted for Mr. Clay, a weight almost decisive in the election. There was, therefore, much effort made by the partizans of each, to persuade those members to vote with them respectively.

General Jackson's friends were zealous, active, and perhaps imprudent in their efforts of this kind.[4] And one of them[5] conceived and undertook a scheme of management, by which he hoped to induce the Kentucky members to vote for the General. Immediately after it was ascertained that Mr. Clay was not one of the three candidates,[6] this gentleman consulted with another friend,

1 Niles, v. 24. p. 247. (2) See the debates in the Tennessee legislature, reported in the National Banner, November 9th, 1827, particularly the speech of Mr. Williams.

3 See his votes in Niles' Register, v. 26, p. 69, 122, 158, &c. in favour of *reducing* the duty on woollens and cotton.

4 Mr. F. Johnson of Kentucky, published in the National Intelligencer of March 29th, 1825, a statement, *which has never been contradicted*, of the most direct importunities and assurances on the part of Mr. Sandford and Mr. Kremer, as friends of Gen. Jackson.

General McArthur of Ohio has also stated, in a letter to Dr. Watkins lately published, that "the General's friends appeared to be willing to make any promises which they thought would induce the friends of Mr. Clay to vote for General Jackson."

Mr. Sloane and General Vance of Ohio, have also testified to the *importunities* of the friends of General Jackson. And so has Mr. Scott of Missouri who held the vote of that state at his disposal, and declares the General's partizans assured him that General Jackson was a man of strong *gratitude*, and would go *the whole* for his friends."

5 "Friend and efficient supporter." So the gentleman is described by Mr. Isaacs in a published letter, dated September 5th, 1827.

6 The Louisiana vote was heard of December 25th, 1824, until which time, it was not known whether Mr. Crawford or Mr. Clay would be returned. See Niles' Register of that day, and the National Intelligencer of December 29th.

See Mr. Buchanan's statement, published in nearly all the papers, in August, 1827. He wrote to a friend 'high in office' in *Pennsylvania*, on the subject, received his advice, and

out of congress, and having *his* approbation, he called on senator Eaton, the colleague of General Jackson, and declared to him, in confidence, that he thought the General ought to farther his own election, by means of "*overtures respecting cabinet appointments.*"[1] And for such purpose, "should state whom he would make secretary of state," and if he would say positively, his choice for that office should "*not be Mr. Adams,*" such a declaration "*would answer the purpose.*"

The purpose being to further his election by such a declaration, Mr. Eaton declared he did not believe the General would make it. The "efficient friend and supporter," nevertheless, declared he would call on the General and try to get such a declaration, for such object, and did seek and have a private interview the next day,[2] for the purpose, as afterwards avowed by him, of obtaining a reply that would "operate on the vote of Mr. Clay and his friends." [3] The gentleman put his question, but General Jackson and he differ in their recollection as to the language of the answer. Their interview was, however, very friendly—the General "declared he had not the least objection to answer the question," [4] and the gentleman received "such an answer as he expected," [5] and which he considered it a "privilege" [6] to be allowed to repeat, and which General Jackson told him he might repeat "to whomsoever he might think proper," and particularly "to Mr. Clay and his friends." [7]

The General, it must be confessed, forgot the dignity of his situation, and sullied his own honor when he gave a *privilege* to one of his partizans to carry to the voters, who were not his friends, a reply, with which that partizan intended "to operate on the votes" of those to whom it was to be communicated; and which indeed, that friend considered as "answering as well" as a direct "overture on the subject of cabinet appointments." [8]

on the same day, the 29th, called on senator Eaton, and held the conversation related by that gentleman. The time being ascertained, Mr. Buchanan says, by the answer in his possession from his Pennsylvania friend, dated December 27th. From Mr. Buchanan's statement of dates, it is plain that he made a very early *start* in the business. He must have written his letter the very day of the arrival of the news from Louisiana.

1 Senator Eaton's statement, published in the 'Nashville Republican, September 18th, 1827, and in many other papers.

"I was called upon by Mr. Buchanan, of Pennsylvania. He said, it was pretty well understood, that *overtures* were making by the friends of Adams, on the subject of cabinet appointments. That Jackson *should fight them with their own weapons.* He said the opinion was that Jackson would retain Adams, and that it was doing him injury. That the General *should state whom he would make secretary of state,* and desired that I would name it to him. My reply was, that I was satisfied General Jackson would say nothing on the subject. Mr. Buchanan then remarked: "Well, if he will merely say, he will not retain Mr. Adams, that *will answer.*" I replied, I was satisfied, General Jackson would neither say who should, or who should not be secretary of state—but that he [Mr. B.] knew him well, and might talk with him as well as I could—Mr. Buchanan then said, that on the next day, before the General went to the house, he would call. *He did so,* as I afterwards understood.

2 Mr. Buchanan's statement, and General Jackson's statement.

3 Telegraph of August 17th, 1827. Statement made by the editor, General Duff Green, of the declarations personally made by Mr. Buchanan to him, in those words.

4 "The General told me he had not the least objection to answer the question, &c. Mr. Buchanan's statement.

5 "I told him this answer was such an one as I expected to receive, &c. Ibid.

6 I then asked him if I were at liberty to repeat his answer. He said I was perfectly at liberty to do so to any person I thought proper." "I need not say that I afterwards availed myself of the privilege." Ibid.

7 General Jackson's address to the public, published at Nashville, 18th July, 1827. "In giving him (Mr. Buchanan) my answer, I did *request* him to say to Mr. Clay and his friends, what that answer had been."

8 Mr. Buchanan so represented the intended use to be made of the answer which he expected—(General Green, in the Telegraph of Aug. 17th,)—and that the answer was *such* as he expected to use for this purpose, he declared in his statement. He told Mr. Eaton, according to that gentleman, that *such* a reply would *answer*, as well as a direct declaration by the General, that he would make a particular individual secretary of state, and would be 'fighting' the friends of Mr. Adams, by means of "*overtures respecting cabinet appointments.*"

The friend thus *privileged*, declares that he *availed himself* of the *privilege*; but in what manner, or with what effect, is not precisely known. But it is said, he went very far in the 'overtures' which he had thought expedient.[1] Notwithstanding this effort, and infinite exertions made by his other friends, in and out of congress, General Jackson was disappointed in the election.

He stayed at Washington long enough to congratulate Mr. Adams with great seeming cordiality, on his success, and refused an invitation to a dinner offered to him by a number of his political friends, lest it should be construed as "carrying exception, murmuring, and feelings of complaint."

His declaration that he took *no exception* to the election, and his congratulations of Mr. Adams, were much applauded; it is to be regretted, that he has since shown they were not sincere.[2]

After voting against Mr. Clay's appointment as secretary of state, he returned to Nashville, and being again nominated for the presidency, by the Nashville legislature, he resigned his seat in the senate of the United States.

In the succeeding year, the execution of the Tennessee militia became a topic of discussion in the newspapers, and a general incredulity was at first expressed, respecting an occurrence which had remained in comparative obscurity. He wrote a letter on this subject, in answer to inquiries, in which he gave to the public an absolute denial of all agency in that bloody tragedy, and placed the blame entirely on General Winchester.[3] The proofs being subsequently produced, however, he was compelled to admit that the whole responsibility rested on himself, and that General Winchester had nothing to do with it.[4]

It is impossible to reconcile his positive denial, with a regard to truth. But it should be inferred, from his stooping to so disingenuous a method of escaping

Mr. Buchanan states, that General Jackson at first declared, if he believed "his right hand knew what his left hand would do, &c. he would cut it off and cast it in the fire."

There is a curious coincidence between this preface to his answer, and a similar one used by him on a former occasion. When a committee of the Louisiana legislature called on him between the 23d and 28th December, 1814, to ask if it was true he intended to burn the city, his answer, as related by himself, was, "if I thought the hair of my head knew my thoughts, I would cut it off and burn it."

But he adds, "I told them that if I was so unfortunate as to be driven from the lines, I then occupied, &c. *they would have a warm session of it.*" (General Jackson's letter to the Post Master General, respecting Fulwar Skipwith, March 22d, 1824.) The same circumstance is mentioned by Eaton, in his life of Jackson, p. 447; and that his intention was to set fire to the city.

Thus did the General, after using this strong expression, to signify his determination *not to give any answer*, conclude with giving one that was perfectly explicit. And so in the conversation with Mr. Buchanan, he first protested against giving any answer, and then he gave exactly the answer, *such as was expected*, and liberty to repeat it to the voters that held the balance in their hands, and who would be, as Mr. Buchanan said, *operated on by it.*

1 Mr. McDuffie, another efficient friend of General Jackson, in a speech at Augusta, published in the National Palladium, July 24th, 1827, declared that a 'significant nod,' without any thing more explicit, was thought to be sufficient to influence the election, and there is reason to believe that in *availing himself*, of the *privilege*, of *operating on the votes* of certain of the members—the friend thus authorised, hinted an *overture as to cabinet appointments* more intelligibly than by a 'nod.' Amos Kendall, a writer of some distinction on General Jackson's side, in a bitter attack on the president, &c. published in the Richmond Enquirer of October 26th, 1827, mentions, as an undoubted fact, that Mr. Buchanan assured some of the Kentucky members, that if General Jackson were elected he would offer the department of state to Mr. Clay.

2 In his letter to Swartout, (Niles' Register, vol. 28, p. 20.) and his 'Address to the public,' July 18th, 1827.

3 This letter, dated September 4th, 1826, was published extensively, throughout the United States. It contains an explicit, but uncandid denial, viz: "The case you allude to, might as well be ascribed to the president of the United States, as commander in chief of the land and naval forces, *as to me*; but as you ask for a statement of the *facts*, I send them in a concise form." The narrative which follows, is full of gross and unaccountable misstatements.

4 His letter to Mr. Owens "Kentucky Gazette" of August 2d, 1827.

censure, that he knew his conduct admitted of no justification. This denial being proved untrue, the general seemed determined to direct public attention towards a new object, and accordingly, early in the spring of 1827, he threw off all reserve, and made a distinct charge against the secretary of state, of having, before the election, made a corrupt offer to vote for him, on certain improper conditions.[1]

This was soon spread abroad, and at length as it found its way to the newspapers, and Mr. Clay having declared it to be totally false, the Mr. Beverly, who had first repeated the general's assertion, called on him to support it.

Having thus made the opportunity, he published a letter to Mr. Beverly, describing a conversation, held in January, 1825, with a member of congress, afterwards named as Mr. Buchanan, in which the suggestion of a corrupt arrangement was made to him, which he believed came from Mr. Clay.[2]

To this, Mr. Clay gave a prompt and indignant denial, so far as it affected him; and the general then issued an address to the public, dated July 18, 1827, giving up the name of Mr. Buchanan, as the bearer of the supposed proposition, and maintaining still the belief, that he acted by authority from Mr. Clay.[3]

The disclosure of Mr. Buchanan's name, brought out that gentleman's statement,[4] which wholly failed to support the general's charge, and entirely acquitted Mr. Clay.

It is difficult to excuse the conduct of general Jackson in this affair by taking any possible view of it, consistent with the facts. He has declared that, *from the first*, he looked on Mr. Buchanan as the bearer of a corrupt proposal. Then it is impossible to justify his willingly listening to it. Every man of honour feels that an attempt to corrupt him is an insult; which if not repelled and resented is a disgrace. But *he* not only listened patiently to a scheme of villainy, as he at the time considered it, but encouraged it by the most friendly reception of the supposed messenger of corruption, and by giving him exactly an answer "*such as was expected*," with a "*privilege*" to use that answer for the purpose of *influencing*, if not *corrupting*, votes. This seems so totally irreconcilable to the rules of honour and virtue, that he has written the severest condemnation of himself in merely stating that such was his understanding.

Omitting Mr. Buchanan's testimony, yet the general is not acquitted. His own statement shows the most *friendly* reception of that gentleman, and his purpose. His subsequent betrayal, therefore, of that "*efficient friend and supporter*" whom he has held up to public view as a willing pandar of corruption, and whose prospects and political character he has sought to sacrifice for the sake of endeavouring to implicate Mr. Clay,—this treachery alone is sufficient to fix an indelible stain on the reputation of General Jackson.

Since the defeat of this attack on the reputation of Mr. Clay, General Jackson has remained quietly at his plantation, except a visit to New Orleans, whither he lately went for the purpose of joining in the annual commemoration of the battle of the 8th of January.

He is now before the public as a candidate for the presidency, and of course, as a politician; but of his present politics it is difficult to speak with certainty.

On the 4th of July he permitted an orator, *in his presence*, to claim as his supporters the "*federalists of the HAMILTON school*." [5]

1 Carter Beverly's statement, dated March 8, 1827, of general Jackson's declaration at his house, before "*a large company*" published in most of the newspapers.

2 Letter to Mr. Beverly, June 6, 1827.

3 "*Address to the Public*," July 18, 1827. In this extraordinary paper, general Jackson, although he still maintains that Mr. Buchanan was Mr. Clay's agent; ["*so I still think*," is the expression,] and though he declares the "*origin, the beginning of this charge, was at his own house and fireside*,"—yet declares, he is not the *public*, nor the *responsible accuser* of Mr. Clay.

Between the condition of a public, and that of a private accuser, men of honour never prefer the latter. That he was an accuser—and the accusation heavy, no man could doubt.

4 Published at Lancaster. The amount of his statement is given above, pages 34, &c.

5 See the account of his attending the oration of Andrew Hays, Esq. and the oration itself in the '*National Banner and Nashville Whig*,' of July 7, 1827.

General Hamilton's political principles were distinguished from those of other federalists, chiefly, by his proposing in the convention of 1787, that the president should hold his office FOR LIFE.[1] But no party now approves of such a scheme.

General Jackson is now the only man of any political prominence, in the whole nation, whose principles are not known as to the great questions respecting internal improvements and the encouragement of agriculture and manufactures by protecting duties.

As he maintains a guarded silence on these subjects, his principles can only be judged of by those professed by his most distinguished friends and partizans; and THEY in South Carolina, Georgia, Tennessee, Virginia and Pennsylvania, are generally distinguished for their vehement opposition to internal improvements and to American manufactures.[2] It must be concluded therefore that HE has changed his principles, and is also now an enemy of the policy which has been called the AMERICAN SYSTEM.

Before the commission of this last error, he had given so many proofs of anti-republican principles,—of disregard or ignorance of laws and constitutions—of vindictiveness and cruelty—of tyranny in the exercise of power—of contempt of the people's rights—of exclusive confidence in military men—of inconsistency and insincerity—and of a total want of talent or acquirements, suitable for civil office—that we cannot wonder at the strong expression of opinion uttered by the venerable Jefferson, when he said, “one might as well make a sailor of a cock, or a soldier of a goose, as a president of Andrew Jackson.”[3]

1 The Georgia senate have, apparently, adopted the principles of this school, if there be any such. For they solemnly resolved, December 21st, 1827, that they would not only “advance by all honorable means the election of General Jackson”—But also that they will “think of no other person” (as president, or candidate,) “so long as HE shall be blessed with his usual bodily and mental energies.”—*Georgia Journal*, published at Milledgeville, January 14th, 1828.

2 The South Carolina legislature, devoted to general Jackson, declare by solemn resolutions that the protecting duties provided in 1824, 1822, and 1816, must all be rescinded; and recently in the senate of the United States, Mr. Smith of South Carolina, presented the resolution of the legislature instructing the members from that state to oppose every appropriation for internal improvements.—(See the report of proceedings on Friday, January 11, 1828.

The Georgia legislature have adopted the report of a committee containing similar sentiments. In Virginia, the message of governor Giles is quite explicit. In Tennessee the debates of the legislature November 9th, 1827, show the state of feeling there.

The chief justice of Pennsylvania, whose name is at the HEAD of the *Jackson electoral ticket*, has declared in presence of several gentlemen, that his objection against the present administration is founded on their policy in respect to the encouragement of manufactures.

The Pennsylvania delegation in congress comprises three very active friends of General Jackson: Messrs. Ingham, Kremer, and Stevenson. They all have voted against every recent measure proposed for the promotion of manufactures or improvements.

In the session of 1826–27, on the tariff or *woollens* bill, which Mr. McDuffie called “*emphatically an administration measure*”—from Virginia only one, from Tennessee only one, from South Carolina, Georgia, and Alabama, *not one* member voted for it. Yet it was passed by the representatives of the people, and sent to the senate where it was *killed* by the votes of General Jackson's friends from Virginia, North Carolina, South Carolina, Georgia, Tennessee, &c. and the casting vote of the vice-president. See *Journal of the house of representatives*, 2d session, 19 congress, p. 282, and of the senate; same session, p. 245; and see also a similar note on the Illinois and Indiana canals, in the house; same journal, p. 374. Likewise on the Cumberland road, p. 314, and senate journal p. 285. And very lately, that on Internal Improvements.—*National Intelligencer* of March 10th, 1828.

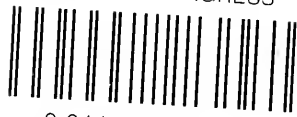
3 See the letters of governor Coles of Illinois, formerly private secretary to president Madison, and of Thomas W. Gilmer, Esq. of Charlottesville, Virginia: published in December, 1827, and testifying explicitly to Mr. Jefferson's having uttered these very words.

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